

Bedford City Council met in a Work Session virtually thru Zoom on Monday, June 1, 2020 at 6:30 p.m.

Present: Council Members: Mayor Stan Koci, Sandy Spinks, Walter Genutis, Vic Fluharty, Paula Mizsak, Heather Rhoades, Don Saunders. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi, Law Director John Montello, Clerk of Council Tracy Simons. Absent: None.

Mayor Koci began discussion of the Regular Council Meeting agenda.

Council had no changes to the minutes of the Work Session of June 1, 2020, and the Regular Meeting of May 18, 2020.

Ordinance No. 9789-20: contract with Burton Scott Contractors – 1<sup>st</sup> Reading 05/18/20 and placed on Third and Final Reading on 06/01/20 City Manager stated that this is the contract for Forbes Road and we will be splitting it with the County. Councilman Saunders inquired about how they are going to meet in the middle regarding the asphalt joint compared to the existing concrete on the other side and City Manager Mallis stated that he did not know the specifics but that he did bring up the concern and that it will be addressed at the pre-con meeting. Councilman Genutis asked if it would be clarified if we waited until the Third Reading and City Manager Mallis stated that a pre-con meeting will not be done until it is passed. He continued to state that we wrote and got the grant and it's a roadway that we cannot afford to do on our own, but the reality is that we are not going to be coming back anytime soon to do a one-way road. He also stated that they see what the county is doing for us regarding Solon Rd. and Union St. and there is no money and Forbes Rd. will fall to the bottom of the barrel and it will get worse. City Manager Mallis stated that he is in favor and we are not in a perfect scenario and that he is going to do his best to get it done.

Ordinance No. 9790-20: contract with Chagrin Valley Paving for 2020 Street Improvement Plan – 1<sup>st</sup> Reading 05/18/20 this was placed on Third and Final Reading this evening. City Manager Mallis stated that this is the contract for the Road Program this year and that a lot of the money is going to the 50/50 split for Forbes Rd.

Ordinance No. 9791-20: contract with Nerone & Sons, Inc. City Manager Mallis stated that we were seeing some flooding in the Palmetto area where there was some additional erosion and it has exposed a trunk line that goes down to the water treatment plant. He continued to state that this is an at cost number and Mr. Montello is working on a temporary easement, because we will need to go through a property owners yard.

Ordinance No. 9792-20: amending Section 178.10 specifically subsection (H) "Order of application of any payments" Mr. Gambosi stated that this is a clarification in language and the way that our old tax system is that we go to the prior years first then move forward onto court costs and attorney fees then interest penalty and last the tax and that is how it's been done for the last thirty-years. He continued to state that to change it from delinquent payment to any payment clarifies that and it refers to pre-2016 tax ordinances as well as after January 1, 2016 ordinance. He stated that this is clarification to say any payment and that this is the process.

Ordinance No. 9793-20: declaring 96 John Street a nuisance City Manager Mallis stated that we received one quote to demolish the property and that we did do a search as to who owns it and we do know who owns it and that there is not a bank involved. He continued to state that a condemnation order was sent out to their attorney and the property owner and that they indicated that they were making efforts to address the porch. He that we put a stop work order on it on Friday. Mr. Montello stated that this is to keep the pressure on them and that hopefully they make improvements on it. Councilman Fluharty stated that they haven't done anything to it and that it has been going on for three or four years. City Manager Mallis stated that he will send the quote over in a pdf and that the cost is \$8,760.00 through TRW Construction.

Discussion of the Regular Meeting agenda was concluded.

Adjourned into Executive Session at 6:22 p.m.

Motion made by Genutis and seconded by Spinks to go into an Executive Session to discuss Economic Development: Meadowbrook Markey Square & Xellia, Litigation: Point of Sale and Personnel: Operations. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Motion made by Genutis and seconded by Rhoades to adjourn out of Executive Session. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Adjourned out of Executive Session at 7:58 p.m.

Work Session adjourned at 7:58 p.m.

  
Clerk of Council

  
Mayor – President of Council

  
Date



Bedford City Council met virtually via Zoom for the regular session at Bedford City Hall on Monday, June 1, 2020. Mayor Koci 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, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders.

Motion made by Spink and seconded by Rhoades to approve the minutes of the Work Session Meeting of May 18, 2020. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Abstain: None. Motion carried.

Motion made by Mizesak and seconded by Rhoades to approve the minutes of the Regular Meeting of May 18, 2020. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Abstain: None. Motion carried.

**ORDINANCE NO. 9789-20**, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BURTON SCOTT CONTRACTORS, LLC (“BURTON”) FOR THE FORBES ROAD RESURFACING BEING THE LOWEST, RESPONSIVE AND RESPONSIBLE BIDDER, AND DECLARING AN EMERGENCY was read by title only.

Motion made by Spinks and seconded by Fluharty to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Motion made by Rhoades and seconded by Mizesak to place Ordinance No. 9789-20 on third and final reading and passed.

City Manager Mallis stated that this is for Bedford’s portion to resurface Forbes Rd. and we applied for a 50/50 split with the county.

The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades. Nays: Saunders. Motion carried unanimously.

**ORDINANCE NO. 9790-20**, AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO CONTRACT WITH CHAGRIN VALLEY PAVING BEING THE LOWEST, RESPONSIVE AND RESPONSIBLE BIDDER, AND DECLARING AN EMERGENCY was read by title only. Motion made by Fluharty and seconded by Spinks to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Motion made by Rhoades and seconded by Saunders to place Ordinance No. 9790-20 on third and final reading and passed.

City Manager Mallis stated that \$289,000.00 is the remaining portion minus the cost of Forbes Rd. for the 2020 Road Program.

The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Mayor Koci stated that a protest is good, necessary and right thing to do, but when it gets out of hand then it's no longer a protest. We want to show the proper respect for what happened to the gentlemen in Minnesota. Councilwoman Rhoades stated that Gabby Holtz created a wonderful gathering on Tarbell Ave. She also stated that it was a beautiful memorial to the lives that have been lost during this type of conflicts.

City Manager Michael Mallis stated that the new K-9 did begin train last week and in the coming months we will have our second K-9 unit back. He also stated that the fire engine went into service today. He commended Fire Chief Nagy and his staff for all of the time and effort that was put into for the two new pieces of equipment.

City Manager Mallis sent his condolences to the family and friends of the young man who passed away last week at the viaduct in Bedford Reservation. He stated that is not the place to swim and that there were over ten rescues over the last decade and that there have been multiple fatalities there as well. He continued to state that the Fire Department knew what needed to be done and they were able to make rescues.

City Manager Mallis thanked everyone that participated in the Memorial Day Remembrance Video, specifically the Bedford Downtown Alliance. He continued to state that it turned out great and it is something that everyone can be proud of.

City Manager Mallis stated that some of the orders have been extended throughout the state. He continued to state that all of the events on the square thru June have either been canceled or postponed and that gathering of no more than ten people is still in effect. He stated that the Recreation Department has been looking at creative programs to roll out that coincide with the orders that we are all following with social distancing and to look for that information to come out in the near future.

That concluded the City Managers report.

Finance Director Frank Gambosi stated about some of the updates to our tax procedures in line with Covid-19, because it creates a conflict in the workplace we are continuing to close the Tax Department window as well as ceasing all in person tax preparation for the City income tax returns throughout this filing season. He continued to state that the online tax preparation system that is on the City's website as well as paying any tax dues. He also stated that the department will assist with tax preparation assistance on behalf of the residents when the documents are sent to our lockbox facility at: Tax Department, City of Bedford, P.O. Box 72450, Cleveland, OH 44192. He continued to state when asking for assistance from the City's Tax Department all of the forms will need to be submitted by mail in the month of June 2020 to allow the City to prepare the returns in June and send a timely billing to the public in early July. He stated that filing and payments are due by Wednesday, July 15, 2020 at 4:30 p.m. He stated that there is a lockbox at the Tax Department window located inside City Hall.



That concluded the Finance Director's report.

Law Director John Montello thanked our veterans for their service. He also stated that the courts are up and running.

That concluded the Law Director's report.

Councilman Fluharty stated that the Police motor cycle needs to get out and go up and down the streets. He asked the City Manager about any updates on Union St. and City Manager Mallis stated that Mr. Ciuni is waiting to hear back from the engineer's office. Councilman Fluharty also inquired about any updates Saint Bernardo and City Manager Mallis stated that the lower building is open and that they were on a skeleton crew and that we do not have a timeline yet as to completion.

Councilwoman Mizensak stated that what happened was very unfortunate and that the loss of control from the protestors along with the destruction left a bad taste in a lot of people's mouths about the Downtown Cleveland area. She also paid her respects to the family of the gentleman that passed away. She stated that the Memorial Day video was very special to a lot of people and she thanked everyone who was a part of this for the commemoration and she thanked Mr. Wagner for all of his time as well as Councilwoman Rhoades for the thought of the virtual video.

Councilwoman Mizensak stated that the owner of Hop In expressed his thanks for the City Manager coming down and seeing him. She also inquired about a follow-up on a sink hole on 8 Brune Dr. and City Manager Mallis stated that once they follow up that he will let her know and he also stated that Mr. Francis is going to stop out and talk to the gentleman on Brune Dr.

Councilwoman Rhoades commended Ms. Holt for her dignified protest against this whole thing that has been going on this gentleman and the police. She continued to state that it brought the community together instead of tearing it apart.

Councilwoman Rhoades thanked everyone who volunteered and to everyone who placed an order with the Garden Club for their online plant sale.

Councilwoman Rhoades stated that the Bedford Downtown Alliance would like to thank everyone who came out and to Mr. Wagner who was the videographer and at this point in time the video has 1100 views. She thanked everyone on Council for making their video message. She continued to state that the video is posted on [www.bedfordoh.gov/Memorial-2020](http://www.bedfordoh.gov/Memorial-2020) and it is also on the City's YouTube channel.

Councilwoman Rhoades stated that First Friday's are back and the first one is this Friday via Zoom as a live Dance Party starting at 7:00 p.m. and you can pick up boxed food, limit is only for 100 meals, at the Train Depot between 6:00 p.m. and 7:00 p.m. on Friday.

Councilman Saunders thanked the safety personnel for their helping those people down at Tinker's Creek. He asked City Manager Mallis if the Metro Parks are monitoring the kayakers that are going down there and City Manager Mallis stated that they don't have someone down

there constantly monitoring it to our knowledge but they are aware of it. City Manager Mallis also stated that the Metro Parks did install additional signage and we have to do our best to inform the public not to swim down there and that it's not safe.

Councilman Saunders stated that he is not against the resurfacing for Forbes Rd. but that personally doing one lane on asphalt when you can't guarantee that the longitudinal joint (where they will meet) is poor engineering and a waste of money and that he couldn't consciously have voted "yes" on it.

Councilman Saunders stated that they cancelled the rescheduled Strawberry Festival in September.

Councilwoman Spinks stated that the Strawberry Festival and the Celebration of Art Show help to run the programs at the Historical Society museum and the upkeep of the building.

Councilwoman Spinks thanked Councilwoman Rhoades and Mr. Wagner for the Memorial Day video. She continued to state that it was a respectful and proper way to remember our fallen heroes.

Councilwoman Spinks stated about the sink hole by the park on Greencroft Rd and she also mentioned that cars speed on Greencroft Rd, Flora Dr., Grand St. and Willard Ave. She also mentioned to wrap mattresses if you are going to put it out for trash. She also thanked Ms. Holt for the peaceful protest this past weekend.

Councilman Genutis had no report this evening.

Mayor Koci stated that the gentleman in Minnesota was George Floyd. He also stated that he made a new friend whose name is Anises Mattie and he is a Cub Scout working on his government badge.

**ORDINANCE NO. 9791-20, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO CONTRACT WITH NERONE AND SONS, INC. ("NERONE") FOR EMERGENCY REPAIRS TO THE WOOD CREEK TRUNK SEWER AND DECLARING AN EMERGENCY** was read by title only. Motion made by Rhoades and seconded by Fluharty to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Spinks to place Ordinance No. 9791-20 on third and final reading and passed.

City Manager Mallis stated that this is for work that is located behind some of the properties along Palmetto Ave. He continued to state that some of the trunk sewer line is exposed to the erosion and that we need to get back there and make those repairs. He stated that the bids were based on time and material and that Nerone can start right away and believe that it will be less than that and they have done other emergency work for us before.



The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades. Nays: Saunders. Motion carried unanimously.

**ORDINANCE NO. 9792-20**, AN ORDINANCE AMENDING SECTION 178.10 ENTITLED “PENALTY, INTEREST, FEES, AND CHARGES” SPECIFICALLY SUBSECTION (H) OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD, AND DECLARING AN EMERGENCY was read by title only. Motion made by Rhoades and seconded by Spinks to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Saunders to place Ordinance No. 9792-20 on third and final reading and passed.

Mr. Gambosi stated that it is clarification on how payments are proportioned to what fees as to what it was originally intended and how we’ve been doing it for the last thirty (30) years. He stated that any payments will be applied back to court costs, attorney fees, principle and interest, and then finally to the delinquent tax penalties and interest.

The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

**ORDINANCE NO. 9793-20**, AN ORDINANCE DECLARING THE PROPERTY AND STRUCTURE LOCATED AT 96 JOHN STREET (P.P. #814-11-040) A NUISANCE AND THEREFORE CONDEMNING THE PROPERTY ORDERING ACTION AND DECLARING AN EMERGENCY was read by title only. Motion made by Mizesak and seconded by Spinks to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Rhoades to place Ordinance No. 9793-20 on third and final reading and passed.

City Manager Mallis stated that we’ve been trying to address this property for years and our inspectors have been out their multiple times this year and we issued a condemnation order back in April and the work was not completed. He continued to stated that any work that has been done was minimal at best or not completed properly and that we had to place a stop work order as well. He continued to state that we are taking the steps necessary to try and address this property.

The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Mayor Koci said that concluded the business portion of the meeting and asked if anyone in the audience had any comments. City Manager Mallis stated that you can email the City Manager

directly at [citymanager@bedfordoh.gov](mailto:citymanager@bedfordoh.gov) with any questions or concerns throughout the meeting and we will read them and respond accordingly.

Councilwoman Rhoades asked about the pool and City Manager Mallis stated that we will decide on the pool in the next seven to ten days. He continued to state that they have looked at the orders and what would be required and it would be difficult and in order to open the pool we would have a limit on the amount of people in the pool area. He also stated that the Recreation Department is coming up with some programs, outdoor programs and virtual programs. He thanked everyone who responded to the survey and that the information is very helpful and the ideas that they would like and what they would feel comfortable attending.

City Manager Mallis reminded the public that Council is on Summer Session and we will be meeting in the beginning of July and beginning of August.

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

Meeting adjourned at 9:03 P.M.

  
Clerk of Council

  
Mayor – President of Council

  
Date