

Bedford City Council met in a Work Session at Bedford City Hall on Monday, April 5, 2021 at 6:30 p.m.

Present: Council Members: Mayor Stan Koci, Sandy Spinks, Walter Genutis, Victor Fluharty, Paula Mizesak, Jeff Asbury and Donald Saunders. Absent: None. Also Present: Clerk of Council Tracy Simons. Administration: Law Director John Montello and Finance Director Frank Gambosi. Absent: City Manager Michael Mallis.

Mayor Koci began discussion of the Regular Council Meeting agenda.

Council had no changes to the minutes of the Work Session of March 15, 2021, Regular Meeting of March 15, 2021, Special Work Session of March 22, 2021.

RESOLUTION NO. 2562-21: appointing Jeff A. Asbury as Councilman Ward 5 (Term 4/5/21-12/31/21)

ORDINANCE NO. 9860-21: amending Ordinance No. 9859-21 for a contract with Terrace Construction Company, Inc. Mr. Gambosi stated that we are amending the last ordinance in regards to allocating the road portion. He stated that half of the road portion was the covering of the waterline so therefore it is charged to the Water Fund and the other half to the Road Construction Fund. He continued to state that they are just clarifying that issue. He also stated that this was studied last year and a lot of the engineering is done on the project and we are ready to go with that project. Councilman Saunders inquired if we are assessing this back to the property owners and Mr. Gambosi replied that we are not and that this is for the Ellenwood Waterline. He also stated that they are going to finish the road and they are doing this while Ellenwood is closed and get it all done before the pool opens and before Ellenwood opens too. Mr. Gambosi stated that we were anticipating in doing this project and we also have Broadway Ave. and we did Union St. already. Councilman Fluharty inquired if it will take up all of Ellenwood Ave. and Mr. Gambosi replied that it will be from Kenyon Ave. down to Broadway Ave., towards the pool. Councilwoman Mizesak inquired if the final figure is the \$424,000.00 and Mr. Gambosi stated that the same total and that we just reallocated the road.

ORDINANCE NO. 9861-21: purchase of One 2022 International and Truck ORDINANCE NO. 9862-21: purchase of One Concord Noreaster Salt Spreader Mr. Gambosi stated that we have a few vehicles budgeted in the Water Fund that we will be buying this year to help with the Water and Service Department. He continued to state the two vehicles that they needed done that were bought on state purchasing: 1.) is the International Truck that is mentioned and according to City Manager Mallis's letter to everybody that those are the bids with State Purchasing. Mayor Koci inquired if it was for both of them and Mr. Gambosi replied that it is for both. Mayor Koci inquired if the Granular Material Spreader is for the truck and the back part and Mr. Gambosi replied that yes and both of them are budgeted and that they did come under budget with State Purchasing this year. Councilwoman Mizesak inquired if the two ordinances could be bundled together and Mayor Koci replied that they will be done separately. Mayor Koci stated that the second ordinance looks like just a spreader not a truck with it, because there is no mention of a vehicle. Mr. Gambosi stated that it looks like just the spreader and snow plow. He also



continued to state that it is to replace a 1998 Salt Truck unless they are referring to both of them. Mayor Koci stated that one is the truck and the second one is the chassis.

ORDINANCE NO. 9863-21: contract with Allied Door Systems LLC Mr. Gambosi stated that we did have additional work done on the doors to City Hall. He stated that it is for the hand waving instead of the full access release of the doors. He also stated that with COVID they did the doors to accommodate the wave system verses anybody who walks by doors they won't keep opening and closing. He stated that it was \$2,000.00 in extra work on that and it was for all of the doors here at City Hall. Councilman Fluharty inquired if Ellenwood with that same system and Mr. Gambosi replied that yes and that they will probably be coming back with additional improvements on that as well.

ORDINANCE NO. 9864-21: contract with GPD for No Feasible Alternatives (NFA) Analysis Mr. Gambosi stated that we are going to have First Reading on this and we've had two companies bid on this dealing with no further action in regards to the Waste Water Treatment Plant and the study of that. He stated that GPD has fullest and complete bid on that and we are looking to go forward with that analysis and working with the EPA for finalization of improvements necessary on the plant.

Motion to approve or deny the Zoning Board of Appeals decision to accept a variance of ordinances 1925.05 Lot Area, Frontage and Yard Requirements and 1925.06 Principal Use Orientation requested by Sam Vittrizzino of 933 Archer Rd. Bedford, OH 44146. Mayor Koci stated that they are going to Table this because they do not have the information. Mr. Montello stated that the Board of Zoning and Appeals passed it unanimously to grant the variance. He stated that one involved a side door entrance that was with the house since it was constructed. He stated that Mr. Beverly wanted him to get a variance because it is supposed to be in the front of the house instead of the side of the house and the other issue was that he enclosed the porch and made it into a room. He continued to state that there were some set back requirements and that he did it to improve the appearance of the property and the board granted him the variance and the set back requirement. Mayor Koci stated to table it tonight. Councilwoman Mizesak stated that we have thirty (30) days to act on it. Councilman Genutis stated that the ordinance says that the door is supposed to face the front. He continued to state that directly across the street there is a door that does not face the front, it essentially faces the driveway. He also stated that apparently you need thirty-five (35) feet frontage and when the porch was put on there isn't thirty-five (35) feet anymore. Mr. Montello stated that he is short. Councilman Genutis stated that it looks like it added about five (5) feet or so. Mayor Koci stated that we will hold it until the next meeting so that everyone can have the proper paperwork.

Discussion of the Regular Meeting agenda was concluded.

Mayor Koci began discussion of the 2021 Ward Meetings. Mayor Koci suggested the following dates for discussion: September 13<sup>th</sup>, September 27<sup>th</sup> and October 11<sup>th</sup>. Council decided: September 13<sup>th</sup> – Wards 1 & 4, September 27<sup>th</sup> – Wards 3 & 6 and October 11<sup>th</sup> – Wards 2 & 5. Councilman Saunders stated that Governor DeWine released all festivals and group gatherings this afternoon. He also stated that it is back to normal as long as you maintain wearing a mask and the six-foot distance.

Discussion of the 2021 Ward Meetings was concluded.

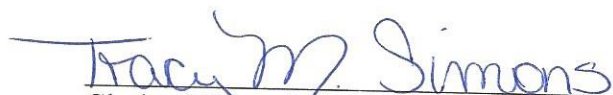
Motion made by Spinks and seconded by Genutis to go into an Executive Session to discuss Economic Development: Tinkers Creek Commerce Park. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizzsak and Saunders. Nays: None. Motion carried unanimously.

Adjourned into Executive Session at 6:58 p.m.

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

Adjourned out of Executive Session at 7:27 p.m.

Work Session adjourned at 7:28 p.m.

  
Clerk of Council

  
Mayor - President of Council

Date: April 19, 2021



Bedford City Council met virtually via Zoom for the Regular Session on Monday, April 5, 2021. 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, Asbury and Saunders.

Motion made by Spinks and seconded by Genutis to approve the minutes of the Work Session Meeting of March 15, 2021. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak and Saunders. Nays: None. Abstain: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Saunders to approve the Regular Meeting of March 15, 2021. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak and Saunders. Nays: None. Abstain: None. Motion carried unanimously.

Motion made by Spinks and seconded by Genutis to approve the minutes of the Special Work Session Meeting of March 22, 2021. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak and Saunders. Nays: None. Abstain: None. Motion carried unanimously.

**RESOLUTION NO. 2562-21:** BEING A RESOLUTION APPOINTING JEFF A. ASBURY TO FILL THE UNEXPIRED TERM OF HEATHER RHOADES, COUNCILMAN OF WARD 5 AND DECLARING AN EMERGENCY was read by title only.

Motion made by Saunders seconded by Mizesak for emergency passage of Resolution No. 2562-21.

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

*At this time this time Jeff A. Asbury as the Councilman for Ward 5; was sworn in by Mayor Koci. Also, at this time Mayor Koci presented Finance Director Frank Gambosi and Assistant Finance Director Jennifer Howland in regards to the Finance Department receiving the Certificate of Excellence Award for the 30<sup>th</sup> Year in a row.*

City Manager Mallis was absent and excuses.

That concluded the City Managers report.

Law Director John Montello congratulated Councilman Asbury and Mr. Gambosi and the Finance Department on their achievement.

That concluded the Law Director's report.

Finance Director Frank Gambosi congratulated Mr. Asbury and looks forward to working with him. He also stated that in regards to the Tax Department filing season was extended to May 17<sup>th</sup>, however, they would like all the residents who haven't filed so far to get their information into them by the end of April, they can turn it around so that their payments are received by May

17<sup>th</sup>. He stated that they can drop it in the box at the front of the Tax Department or mail it in and they will process it for them.

That concluded the Finance Director's report.

Councilwoman Spinks hoped that everyone had a nice Easter. She stated that the chipper service will be coming out this week, so make sure that to call the Service Department to notify them that you have some branches and things. She also welcomed Mr. Asbury to City Council. She also congratulated Mr. Gambosi and the Finance Department on their certificate.

Councilman Genutis hoed that everyone had a wonderful Easter or enjoyed the beautiful weather. He stated that government is ran by economist and the City of Bedford is no different, because when it comes to what we do we are always looking to Mr. Gambosi, because its no secrete that the finances really dictate a lot of the decisions that we make.

Councilman Genutis welcomed Mr. Asbury. He also stated that Mr. Asbury has always seemed line one of us, that he is always at many of the Work Sessions and in on all of these conversations that we've had in the Work Sessions. He stated that there is no question that he is very knowledgeable about what we are doing. He also stated that Mr. Asbury is widely recognized in the community as an exemplary citizen, so it is a wonderful thing.

Councilman Fluharty welcomed Mr. Asbury to City Council. He stated that Mr. Gambosi and his staff do a lot for us behind the scenes that we don't see. He continued to state that they get results and save the city money. He also stated that any decisions that they make Council is pretty much right behind them and that he feels confident with them 100%. He also stated that City Manager Mallis does a lot for the city as well.

Councilwoman Mizesak congratulated Mr. Asbury and Mr. Gambosi. She stated that Mr. Gambosi is outstanding, caring and very through. She also stated that it is an honor to know you and work with you.

Councilwoman Mizesak stated that she talked with a few of the residents from the Colony Club, she knows that it is a privately-owned situation, however, a few residents in the area would like to know if letter can be sent to the management about some of the garages being cleaned out and brought up to date. She also stated that the season is just starting for the clean-up of yards, but they have to enhance it to make esthetically nice to get new tenants. She stated that in their contract that they can have a dog, but no bigger than a medium size dog. She stated that they do not adhere to their own rule, because there a few large dogs and they are getting away with not following up with the ones who ask if they can have a pet as to the requirements to the size of the animal. She inquired about writing a letter to the managers of the apartment as far as making it esthetically pleasant for the eye as well as the size of the dogs that are allowed to be on their premises. Mr. Montello stated that he would talk with Mr. Beverly. She also asked Mr. Montello if he checked in with Hop In about selling wine and beer and Mr. Montello stated that he would look into it as well. She stated that everyone in Ward 4 is starting to get their yard in order and putting things on the tree lawn would make it easy for the city workers to pick up and better for everyone else as well.



Councilman Saunders stated that a new business Birdies Sweet Shop opened up this past weekend. He stated that they have a variety of different sweets and it is right next door to Marco's pizza. He also stated that this is happening in a lot of communities lately and it deals with the Sanitary Sewer System and that people are flushing the flushable wipes that aren't flushable. He stated that it causes sewer problems, especially when it hits one of the pump stations and it's not just in the City of Bedford but is all of the communities. He stated to be cognizant of what is being flushed, because it could be causing a problem. He also reminded everyone that they are responsible for the sewer from the house to the right-of-way line (sidewalk street) and the city is only responsible from when it hits that point to the street, the actual sewer.

Councilman Saunders stated that in the last week and a half three sections of the parapet wall on the south side of the Northfield Rd. bridge collapsed. He stated that they have fallen in onto the sidewalk and they are creating a nuisance where one section broke all the way down. He also stated to everyone in regards to if you lean of the fence on either side of the bridge because you will go over with it and that we need to inform ODOT that we have a major problem there. He stated that we need ODOT out there to chip away what is loose or actually go out and fix it. He stated that usually if it's on one side it's also on the other and it could become a very big safety issue there.

Councilman Saunders stated that he will be abstaining from the GPD contract with Terrace Construction for the Ellenwood Waterline Project, because his son works for GPD. He stated that was hired out of the Akron office, however, because of COVID they moved him over here and he finished that job up. He stated that rather create a conflict with that he will be abstaining on that vote. He also stated that his youngest son passed the first half of his engineer's license, which is the fundamentals exam. He stated that his son will also become part of The Order of Engineer and his ceremony will be on April 15<sup>th</sup> at CSU.

Councilman Asbury thanked Mayor Koci, Council and the Administration for the opportunity to work for and to represent the residents of Ward 5 in the City of Bedford. He stated that with the weather warming to remember our downtown business and that some of them are still struggling, so let's do everything that we can to support our local businesses. He stated that the Bedford Downtown Alliance will be starting up their First Friday's in May and stay tuned for more information on that. He stated that you can get ahold of me at (216)401-7806 or by email at [jasburyward5@bedfordoh.gov](mailto:jasburyward5@bedfordoh.gov).

Mayor Koci stated that as for the bridge the state has been given hundreds of pictures and City Manager Mallis has been on them for two years now and they have been out looking at the bridge. Councilman Saunders stated that this just happened within the last week and that he has seen them out there, but they are not doing the maintenance that they should be. Mayor Koci stressed to everyone that the bridge belongs to the State of Ohio not the City of Bedford, but ODOT is responsible for that bridge.

Mayor Koci stated that the Bedford Garden Club sent the city two checks: 1.) for \$500.00 to install flowers on the Union St. bridge and 2.) \$100.00 for the Arbor Day Tree Planting that will



be coming up. He stated that he wanted to thank the Garden Club and that they do it every year. He stated that they take care of our flower beds here and they are terrific people that help us out a lot. He stated that they are doing with the money that they are supposed to and when the flowers start blooming with will be able to enjoy the beauty of those flowers.

Councilman Fluharty inquired as to when taxes are due and Mr. Gambosi replied that the State of Ohio has extended it to May 17<sup>th</sup>. Mr. Gambosi stated to have residents get their papers in so that we can prepare their taxes for them behind the scenes and we can bill them for what is due and then they can pay it on time by May 17<sup>th</sup>.

**ORDINANCE NO. 9860-21:** AN ORDINANCE AMENDING ORDINANCE NO. 9859-21 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH **TERRACE CONSTRUCTION COMPANY, INC.** ("TERRACE") FOR THE ELLENWOOD WATERLINE REPLACEMENT PROJECT 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, Mizsak, Asbury and Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizsak and seconded by Asbury to place Ordinance No. 9860-21 on third and final reading and passed.

Mr. Gambosi stated that this is for the waterline on Ellenwood Ave. and earlier we had some figures in there and we are amending it to show actual road construction being charged for the road portion and water being charged to the water fund. He continued to state that we have \$376,000.00 of the project will be for the waterline and parts of the road and \$47,000.00 will be charged to the Street Improvement Fund.

The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizsak, Asbury. Nays: None. Abstain: Saunders. Motion carried with Six Yeas and One Abstain.

**ORDINANCE NO. 9861-21:** AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE 2022 INTERNATIONAL TRUCK HV507 SFA 4X2 (HV507) CAB AND CHASSIS TO BE EQUIPPED WITH SALT SPREADER AND PLOW HITCH, ODOT INVITATION NUMBER 023-21, AND DECLARING AN EMERGENCY was read by title only. Motion made by Fluharty and seconded by Genutis to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizsak, Asbury and Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizsak and seconded by Saunders to place Ordinance No. 9861-21 on third and final reading and passed.

Mr. Gambosi stated that we are looking at replacing a 1998 salt truck that we are still using and we need to get a new one. He stated that these have been budgeted in this year's budget. He also stated that these are both on State Purchasing Bids and they have already been bid out there by state law.

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

**ORDINANCE NO. 9862-21:** AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE CONCORD NOREASTER MPS-1055C-S HEAVY DUTY CHASSIS MOUNTED MULTI-PURPOSE GRANULAR MATERIALS SPREADER AND A HEAVY-DUTY MUNICIPAL POWER ANGLING SNOWPLOW, THROUGH THE STATE OF OHIO TERM SCHEDULE CONTRACT NUMBER 800860: INDEX NUMBER ST515 AND DECLARING AN EMERGENCY was read by title only. Motion made by Saunders and seconded by Asbury to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizzsak, Asbury and Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Fluharty to place Ordinance No. 9862-21 on third and final reading and passed.

Mayor Koci stated that this is the plow and spreader that goes on top of the chassis that was previously passed this one.

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

**ORDINANCE NO. 9863-21:** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ALLIED DOOR SYSTEMS LLC AND DECLARING AN EMERGENCY was read by title only. Motion made by Genutis 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, Mizzsak, Asbury and Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizzsak and seconded by Asbury to place Ordinance No. 9863-21 on third and final reading and passed.

Mr. Gambosi stated that in regards to the Allied Door Systems we originally purchased it with COVID Funds to get touchless doors and when we say that it worked well we doubled on it and did all of the doors. He also stated that they found at this point that as people would walk by the doors would open, so we went to a wave system in front of the doors. He stated that this is the extra cost to put those wave sensors onto the system.

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

**ORDINANCE NO. 9864-21:** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH **GPD GROUP (GPD)** TO CONDUCT A NO FEASIBLE ALTERNATIVES (NFA) ANALYSIS AND DECLARING AN EMERGENCY was read by title only. Motion made by Mizzsak and seconded by Saunders to place Ordinance No. 9864-21



on First Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Asbury and Saunders. Nays: None. Motion carried unanimously.

Mayor Koci stated that this is an extensive study that is going to go into our waste water and it needs a little bit more adjusting.

Mayor Koci said that concluded the business portion of the meeting and asked if anyone had any comments to send emails to [citymanager@bedfordoh.gov](mailto:citymanager@bedfordoh.gov).

Judith Goldsworth, Neighborhood News: stated that there is no audio on the YouTube Channel. Mayor Koci stated that it will be corrected when it gets posted and they will check with IT.

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

Meeting adjourned at 8:42 P.M.

  
Clerk of Council

  
Mayor – President of Council

Date: April 19, 2021