

Bedford City Council met in a Work Session at Bedford City Hall on Monday, April 19, 2021 at 6:30 p.m.

Present: Council Members: Mayor Stan Koci, Sandy Spinks, Walter Genutis, Victor Fluharty, Paula Mizsak, 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 April 5, 2021, Regular Meeting of April 5, 2021.

Ordinance No. 9864-21: contract with GPD for No Feasible Alternatives (NFA) Analysis City Manager Mallis stated that part of our renewal permit for the Waste Water Treatment Plant and working with the EPA they requesting that we have to go through with an NFA Study. He continued that we've had a number of bypasses over the years and that amount has increased. He stated that the study will lead to necessary improvements and investments down at the Waste Water Treatment Plant, but the first step is the No Feasible Alternative Study. He stated that there are a lot of simple things that are very costly that can be done to elevate the bypasses and one is to replace every sewer in the city, this is not feasible, or where we know of significant infiltration is coming from laterals from homes to the street and having every house hold replace their lateral if its aging, this is not feasible. He continued to stated that there are a lot of things that we have to do and this study is the first step and then modeling the system and looking for ways to improve the system down at the plant. He stated that they did receive two quotes and the one from GPD is the one on the agenda. He continued to state that the second quote came in from Arcades and they put together a quote that was roughly \$50,000.00 less than GPD's quote. He stated that the reason is: 1.) we broke down the cost per hour. He continued to stated that GPD's study includes: fourteen (14) months' worth of work, it includes modeling of the system and breaking out the necessary improves that will be needed for the next step. He stated that the proposal from Arcadis was simple the first step in just performing this one small component and it is about six (6) months' worth of work. He continued to state that GPD's fees range from \$95.00 to \$100.00 for the staff and Arcadis's fees for their staff is about \$135.00 and if we went with Arcadis and had them perform the that we would be getting from GPD, it would be more expensive. He stated that we recommend moving forward with GPD to perform the study. Councilman Saunders stated that under the new infrastructure bill there is a possibility that there is going to be money in there for house holds to replace their waterline from their house to the street, because of the possibility of lead. City Manager Mallis stated that he spent the last two weeks with a former staff member that worked directly with the EPA and what he thought that our best approach should be and he continued to state that he would share it with Council in the upcoming meetings. He continued to state that he does agree that there are probably some funds out there, but he also thinks that there are some things that we need to demand a little bit as well from either the EPA and/or on a federal level as far as funding. Councilman Genutis inquired if the NFA Study would ordinarily include improvements and City Manager Mallis replied that we've set up readers throughout the city to monitor heavy rain fall to look at what our plant is dealing with. City Manager Mallis stated that we need to prove that: 1.)



from a budgetary standpoint we can't go ahead and make these improvements, 2.) how old is our infrastructure, 3.) age of our sewer pipes in the roads, 4.) the home infrastructure that we have. He continued to state that we are not a newer developed community and we are starting to see a wave of home that are crossing the 100-year-old level. He stated that we also have to lay out a modeling plan of how are we going to address it, what improvements can be done at the plant and what can we do that we can control at the plant. Councilman Genutis inquired about the meaning of bypass and City Manager Mallis replied that it is a combination of how the plant handles the sewage and other water coming in, but when we have the large events. Councilman Genutis inquired if the bypass is stormwater bypassing and City Manager Mallis replied that it would include sanitary. Councilman Genutis inquire when talking about resident's laterals need work if it is referring to how the stormwater in their homes is tied into the sanitary sewer and City Manager Mallis replied that the way that a lot of the homes were designed the storm sewer sat this way and the sanitary sewer sat like that. Councilman Genutis stated that it is infiltration of storm water into the sanitary sewer. Councilman Saunders stated that they fact that they were all clay tile and a lot of it doesn't last more than 80 to 85 years. He also stated that there have been a lot of people replacing their laterals from their house out to the street. He continued to state that the biggest thing on the actual sewer lines in the leaching of the storm water coming in from the man holes. Mr. Gambosi stated that along time ago we actually cut down spots from houses, because there was literally rain water coming down into the storms and when they dye tested for those and there was a plan for that. He also stated that when the plants were designed that they weren't designed for the flushable wipes and now we are looking at new improvements to the plants that are going to have to deal with that. Councilwoman Mizzsak inquired if the debris on the streets contributes to the clogging as well and City Manager Mallis replied that it goes with anything like that is going to lead to blockage of the sewers.

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 Vitrizzino of 933 Archer Rd. Bedford, OH 44146. Mayor Koci stated that Mr. Vitrizzino had his front porch wrapped in black plastic for so many years and that he doesn't have a problem with the 2 ½ ft extra setback, but that they need to put a time limit on it or he will drag it out. Mr. Montello stated that we've had him in court for awhile and that he may not have realized that he needed to get a variance before he could proceed and now we are at that point. He continued to state that he submitted an application to the Zoning Board and they granted his variance. He stated that Mr. Vitrizzino does need to comply with Mr. Beverly's request to get more detailed plans. He stated that you can approve it on the condition that he submits plans within the next sixty (60) days and Mayor Koci stated thirty (30) days. Mr. Montello stated that he wants to make sure that Mr. Beverly has enough time to review them. City Manager Mallis stated that a majority of it is up and that it would be fair to have plans submitted no later than the middle of May and at that time we give him thirty (30) days to complete the project. He stated that we need to get it cleaned up and think about the neighbors, obviously there has to be so effort on his part. He continued to state that he would make sure that the plans are turned over immediately and what we need to think about is what is fair as for a completion date. Councilman Genutis stated that we are not voting on it, but that we are voting to simply approve the variance that the setback is not 35 ft. it's 33ft and the door is facing the driveway instead of the front. Mayor Koci stated that if we grant the variance then he can do all of those things, but we need to put a time limit on him. Councilman Genutis stated that is not the



issue of this vote and vote on the matter at hand and Mayor Koci stated that we can put it on there and that he has to have a time limit. He stated that thirty (30) days after the plans are approved. City Manager Mallis stated that if we approve it tonight who's to say if we are going to be here in another twelve (12) months siting someone because they just stopped working on a project. Councilman Genutis inquired that if we don't accept it, it means that whole front of the house has to go back to the original condition and that he would have to tear down what he has so far and he doesn't think it's a practical measure at this point. Councilwoman Mizzsak stated that she was on the Zoning Board before being on Council and when a person appealed to the board they came up with their situation and we either voted "yes" or "no." She continued to state that if they weren't pleased with the outcome they had thirty (30) days to come to Council to get our decision to move forward. She continued to state that this isn't any different then what they are trying to do by saying "that we are going to vote yes or no tonight, but there will be a time limit as to when you should complete your construction." She continued to state that there is no actual wrong doing at all, it's just that he wants us to be cooperative with his request. Mr. Montello stated that they you either need to grant it or deny it, you can make a condition that he immediately comply with the request of the Building Department and reply with the request withing thirty (30) days and Mayor Koci stated after the approval of the plans. Mr. Montello stated that you are still granting the variance, that he has thirty (30) days to submit the drawings and thirty (30) days to comply. He stated that in order to over turn the decision of the BZA you need five votes, you guys are just trying to modify it, which you guys have the right to modify the approval of the BZA. Councilman Genutis inquired that if Mr. Vitrizzino didn't submit the plans withing thirty (30) days then it's not approved and Mr. Montello stated that the variance would be approved but that he could site Mr. Vitrizzino with another Building Code violation if he doesn't do so. Mr. Montello stated that someone needs to make a motion to make it a condition of your approval.

Ordinance No. 9865-21: adopting the March 2021 replacement pages of the Codified Ordinances Mayor Koci stated that this is something that we do on a regular basis to get our ordinances up to date.

Ordinance No. 9866-21: amending Ordinance No. 9775-20 for continuing membership in the Ohio Municipal League (OML) Joint Self Insurance Pool Mr. Gambosi stated that we currently have a three- year contract with them and with the number of claims that they are entitled to charge an extra premium for the high claims that we had in the last two-years. He stated that they have done so in the Ohio Municipal League in handling our cases and they have the ability to do so. He stated that it is still very good pricing but that we are going to have to watch our claims, especially for auto and others that we've settled recently.

Ordinance No. 9867-21: contract with Welker-McKee Cleveland to install touchless faucets and restroom facility upgrades at City Hall and Ellenwood Center City Manager Mallis stated that Mr. Romito and Mr. Kramer worked hard to obtain the two quotes that were sent over to everyone. He continued that Welker-McKee provided quotes on a couple of different components and also through them we were able to get quotes on the Zuren components of it. He continued to state that Zuren is what we have now at Ellenwood and City Hall. He stated that we will be doing all of the installation, so we are cutting back on a lot of those numbers. He continued to state that the least expensive to replace all of the valves to become automatic and



replacing with the Zuren for \$20,000.00. He stated that this is one of the areas where we received some money through the CARES Act last year and this will qualify to spend that money, so we are not spending our General Fund dollars it is coming out of the CARES Act Funding. Mr. Gambosi stated that this is the different types of products and working with Zuren Mr. Romito did a nice job getting all of this together. He stated that they analyzed it in the sense of what they have to replace. He stated that these bids have been going on for quite a while and over a year in trying to work on this and we are still working on getting this at price that using our labor we can get it installed and used as soon as possible. City Manager Mallis stated that similar to the doors that were done at City Hall they have been taking some routine maintenance, Mr. Romito was some of the equipment already. He stated that to not replace but upgrade things that do need to be maintained was huge and to be able to utilize those funds. He stated that the same goes in line the restroom facilities. He continued to state that they know the condition of the men's restroom at Ellenwood, which is on our list to do this year. He stated that over time they need to be replaced, so if we can replace them with the modern technology and utilize this funding ultimately, we are saving the city money. Councilman Saunders inquired if we have considered any of the other public facilities like the train station and the public pool, where they have facilities similar that general take a lot of public as well. City Manager Mallis stated that they've thought about it and the pool house is a substantial project that we will have to look into, it doesn't say that we aren't able to go back and add something to that. He stated that right now we just wanted to focus on the two buildings that are primarily utilized the most with the public.

Ordinance No. 9868-21: a contract with ODOT for winter rock salt City Manager Mallis stated that we have to come up with an estimate on what we believe we will go through, we have a substantial amount left over that is stored. He stated that it's a guess and looking at what we have left over, what we've utilized over the last few years, and the number that we are putting in and committing too is 2,800 tons of rock salt. He stated that we are committed to purchasing 90% of that, so if it doesn't snow at all next year we still have to purchase 90% of the 2,800 tons. Mayor Koci inquired if there have been any thoughts on another salt shed and City Manager Mallis replied that we are looking. City Manager Mallis stated that he and Mr. Bellar had a conversation and ideally, we would like it to be down at the garage but there is simply no room. He stated that they were looking at constructing in the same spot and he doesn't know if it would fit. Councilman Asbury inquired if they had an approximation of what is stored right now and City Manager Mallis stated that he would get that number to them tomorrow. Councilman Asbury stated that it is overflowing and if we don't use before then where are we going to put the rest of the 2,800 tons. City Manager Mallis stated that we don't have to get the 2,800 tons now this is that we have to commit to a number and then ODOT gets number from all the communities participating and then they go out for bid. He stated that this helps them put together a number to try and get the lowest cost per ton and next year we would have to start taking orders.

Motion to approve the approve or deny the Zoning Board of Appeals decision to deny a variance of ordinance 1949.19 Signs Permitted in B-2A District (d) (16) Billboards – Prohibited requested by Aleksandr M. Rybak, 21821 Libby Rd. Bedford Heights, OH 44146 Mayor Koci stated that this is to put up a billboard. He continued to state that the billboard would go along the existing building of the flower shop. He also stated that it's not quite the Historic District but that we are looking to add that into the Historic District. Mayor Koci stated that the boards decision was to





deny, so if we vote “yes” that means to deny it and “no” means to over turn it. Mr. Montello stated that it would be good for everyone to state the reasons in support of your denial and for the reason contained in the minutes of the meeting to have evidence in the records. Mr. Montello stated for esthetic reasons, adjoining property owners and neighbors as well. He stated that it seems to be based purely on an economic issue, which BZA is not supposed to grant variances sole for economics and that is Mr. Rybak’s main argument.

Motion to appoint Angela Porinchak to the Record Retention Committee for the 3-yr. term Mr. Gambosi stated that we need an appointee from the public so with that said we only have a couple of meetings a year that is required by the Ohio Revised Code. He stated that we have our records destruction in line with our records retention schedules and our meetings that we hold on it. He stated that Ms. Porinchak would be a very good addition to that committee and it is recommended that she is added to the commission.

Discussion of the Regular Meeting agenda was concluded.

Mayor Koci began discussion of the Memorial Day Parade. City Manager Mallis stated that he wanted to have a conversation regarding the parade. He continued to state that he met with both the Fire Chief and the Police Chief last week and that there are a number of components that we need to think about and then we can go from there. He continued to state that the parade is doable and there is one component of it that we should really think about adjusting. He stated that one piece that would need to be modified and he thinks that stopping at the square we can do for a wreath placement and taps is doable. He stated that he is going off of right now on what’s out there, when we don’t allow the public on the actual commons and have a group in the gazebo and giving a speak with everyone congregating outside of the Commons to listen might be pushing it. He stated that maybe everyone stays in their place on Broadway Ave. when the wreaths get placed, these are conversations that came out of the discussion with both of the Chief’s. He stated that when we make our way to the cemetery it would be easier to spread out and have something down there and it is very doable. He stated that we are not going to be able to police the crowd, we know that there will be a significant amount of people in the district and down in the area by Sirna’s. He stated that we are getting close that by the end of May that a majority of people should have had the opportunity, if they wanted to get the vaccine. He stated that if you are not comfortable don’t attend, while at the same time people will look at us as leaders. He stated that we can’t control everybody and we can’t have officers going down the parade route telling groups to spread out. He stated that there is an optics piece that we all need to think about that. He stated that if we have the parade we are going to hear and if we don’t have the parade we are going to hear it. He stated that we are leaders think about it and we are going to have to deal with both sides of it and there is going to be some optics and we need to think about that in our decision making. Mayor Koci stated to get the VFW groups input too. City Manager Mallis stated that he shared a couple of emails with Mr. Gair a few weeks ago and they want to proceed like we did in the past. City Manager Mallis stated that he met with both of the Chief’s last Thursday and he is going to follow up with Mr. Gair to let him know that they are discussing some of these things and go from there. He stated that some of the governor’s guidelines is that you have to have clean stations and we can do that, but for monitoring and having staff go through there that is tricky. He stated that his primary concern from a liability stand point and we are okay in that regards, with a lot of the events and organizers downtown



with our application process they will have to fill a piece out and they will be responsible to adhere to the governor's orders. Mr. Gambosi inquired if the veteran's groups will be scaling back and if the schools are buying in on that and City Manager Mallis stated that he has not heard and he will connect with Mr. Gair sometime this week to hear his thoughts. He stated that he will share his concerns with the area around the square. He stated to let's make our decision and let's make the best decision. He stated the biggest things he wants out of this is 1.) peace around the square if we do it and 2.) we hammer out recommendations, but to have officers go through crowds is next to impossible and we're not going to do that. Councilman Fluharty stated that we need to get back to some sort of normalcy. He inquired if there is a possibility of it being recorded so that the people who don't want to come to the parade and City Manager Mallis replied that we can have it recorded.

Discussion of the Memorial Day Parade was concluded.

Mayor Koci began discussion of Boards and Commissions Vacancies and the Historical Preservation Board. Mayor Koci stated that he still wants to do a meeting just on the boards and he would like it done soon. Mayor Koci scheduled the meeting for Monday, April 26<sup>th</sup> at 6:30 p.m. He also stated that if you are interested in serving on a board they are welcome to submit their interest anytime.

Discussion of the Boards and Commissions Vacancies and the Historical Preservation Board was concluded.

Mayor Koci began discussion of Fences. Mayor Koci stated that they agree on doing the backyards up to 10 foot. Councilwoman Mizensak inquire about the fences for the front yard and Mayor Koci stated that no one has an objection to that. Councilman Genutis stated that except that the little picket fence is not a functional fence it a decorative fence. He stated that he would like to see it that we would be allowed to have a little picket fence in the front yard. He stated that a lot is spent on land scaping and residents have a right to protect their property and we should allow a picket fence. Mayor Koci stated that decorative fences or the temporary protection on a young tree has never been a problem with anyone. Councilman Genutis stated that we need to make the ordinance state that. Mr. Montello stated that you can modify the ordinance; however; any changes to the Planning Code need to go before the Planning Commission, so unless you guys decide to bypass it by  $\frac{3}{4}$  of your members here. He continued to stated that we would need to put it in a format and refer it to the Planning Commission or you would have to decide to amend without the Planning Commission's approval, which we have the right to do under our ordinances. He continued to state to have everyone agree on what they want and to go from there.

Discussion of the Fences was concluded.

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



Adjourned into Executive Session at 7:52 p.m.

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

Adjourned out of Executive Session at 8:00 p.m.

Work Session adjourned at 8:01 p.m.

  
Clerk of Council

  
Mayor - President of Council

Date: May 3, 2021



Bedford City Council met virtually via Zoom for the Regular Session on Monday, April 19, 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, Mizensak, Asbury and Saunders.

Motion made by Mizensak and seconded by Spinks to approve the minutes of the Work Session Meeting of April 5, 2021. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizensak, Asbury and Saunders. Nays: None. Abstain: Asbury. Motion carried with Six Yeas and One Abstain.

Motion made by Asbury and seconded by Genutis to approve the Regular Meeting of April 5, 2021. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizensak, Asbury and Saunders. Nays: None. Abstain: 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 Mizensak 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, Mizensak, Asbury and Saunders. Nays: None. Motion carried unanimously.

Motion made by Asbury and seconded by Fluharty to place Ordinance No. 9864-21 on third and final reading and passed.

City Manager Mallis stated that as part of the city's renewal permit with the Ohio EPA for the Waste Water Treatment Plant that one of the requirements is to conduct a No Feasible Alternative Analysis Study. He stated that this is the first step in outlining major upgrades and improvements that will be required at the plant. He stated that they did get a couple of quotes and that they recommend to move forward with GPD Services, the other company can in under GPD's it was only for six months' worth of work and it did not include the necessary modeling for the upgrades and how those upgrades will improve the plant. He continued to state that GPD's does include that modeling and for fourteen months' worth of work.

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

Motion made by Asbury and seconded by Saunders to approve the Zoning Board of Appeals decision on the condition that the applicants submit the required drawings within thirty (30) days and complete the work within sixty (60) days and 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. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizensak, Asbury and Saunders. Nays: None. Motion carried unanimously.





Mayor Koci said that if any one has any questions or comments that they would like to be read during the Hearing of Citizens please send them to [citymanager@bedfordoh.gov](mailto:citymanager@bedfordoh.gov).

City Manager Mallis stated that reminded everyone that the Ellenwood Ave. Waterline Project is slated to begin this week and all of the residents that will be affected should have received a letter outlining the project. He continued to state that they believe the project will be completed in sixty (60) days and have it wrapped up in time for the Municipal Pool to open.

City Manager Mallis stated that they are in the process of starting to advertise for the 2021 Road Program. He stated that it is tentative, this could change, but we are looking at resurfacing Belle Ave., Deborah Ln., Edgewood and Nordham Dr. is included as an alternative. He also stated on top of the Ellenwood Ave. Waterline Project we added to that project to resurface Union St. with Cuyahoga County and we received a grant for concrete improvements to Egbert Rd.

City Manager Mallis commended Mr. Gambosi for the data and the Water Department for identifying leaks and areas of our system that need buttoned up. He stated that the last report that Mr. Gambosi put together showed that ninety-one (91%) percent of the water billed last month and the last time we've seen numbers that high was back in 1994. He stated that this shows the dedication of the Service Department and the Water Department and they are doing a tremendous job.

City Manager Mallis congratulated Mrs. Kuzma for working diligently on a number of grants that the city has recently been awarded. He stated that we received \$15,000.00 grant from the Ohio EPA and that will lead to electric vehicle charging stations in the Historic District. He also stated that they are looking at charging stations at the Municipal Center as well, but we have to see where that application leads. He also stated that we received a grant for other improvements in the Historic District and the most notably is public WiFi on the Commons.

City Manager Mallis commended Mr. Bellar, the staff at the Service Department and the Tree Board in that the city was recently recognized as a 2020 Tree City USA by the Arbor Day Foundation. He stated that installing the 100 plus trees last year helped in increasing our tree canopy.

City Manager Mallis stated that they have been advertising for a number of different programs down at the Parks and Recreation Center. He stated that the First Session for Summer Camp is filled and they are taking sign-ups for the Second Session along with some other programs that are being advertised. He stated that the staff is already working to get the pool facility ready for the 2021 Summer opening. He stated that a lot is going on and to stay tuned for events on the square later this summer and we will be putting some information together and sharing that with the public in the coming weeks.

Mayor Koci inquired about a start date for Union St. and City Manager Mallis replied that we do not and they have to bid that project. City Manager Mallis stated that we have submitted all of the plans when we passed the legislation and that the County agreed to allow the City to design those plans. He continued to state that we had those to the County on April 1<sup>st</sup>, they reviewed



them and now they will be going out to bid and when we find that he will share it, but right there is not timeline on that.

That concluded the City Managers report.

Law Director John Montello stated for people to accept the decision of the Floyd trial no matter what it may be.

That concluded the Law Director's report.

Finance Director Frank Gambosi commended the Mr. Bellar and the Service Department on the Tree City Award and that they have been receiving that award for many, many years. He stated that the Water Department did a fantastic job the last few years in tightening up the system, what we pay for the water in Cleveland verses what we bill out to the consumers of our water. He stated that they are very tight now and they've done a fantastic job.

Mr. Gambosi stated that in regards to the Tax Department that the deadline is May 17<sup>th</sup> and that they have sent out notices to everyone who hasn't filed. Mrs. Howland stated that they have over 2,000 returns turned in and they usually have around four of five thousand by the end of the season. She stated that we have just under a month to get the rest of the returns in. She encouraged everyone to get their returns in early so they know how much they owe, because once May 18<sup>th</sup> hits the fifteen (15%) percent penalty will hit tax bill if it's not paid by then. Mr. Gambosi stated that if they haven't filed and haven't put it together to mail or bring their W-2's to City Hall and we will put it together for them and bill them out. He also stated that if it is in by the of April they will be able get it out to them so the return will be calculated and any tax due they will be able to pay it by May 17<sup>th</sup>.

That concluded the Finance Director's report.

Councilwoman Spinks stated to the residents to have them call the Service Department if they have any limbs and they will be put on a list. She inquired if they will be going back out before May and City Manager Mallis replied that the next time they will be out is in a couple of weeks, but that they don't have a timeline on it right now because they do not have a chipper. City Manager Mallis stated that they have to send the chipper out to the manufacture, because there may be a computer issue with it.

Councilwoman Spinks inquired if the radar units will be moved around and that something has to be done and City Manager Mallis replied that one will be moved around and the other one is permanent. City Manager Mallis stated that there is one stationed on Broadway Ave. and the others will get moved around.

Councilwoman Spinks reminded the residents in Ward 1 that trash pick up is on Wednesdays unless it falls on a holiday then it is a day behind, please don't put your trash cans out on the streets.



Councilwoman Spinks wished everyone a Happy Earth Day. She stated that there was a great coloring section for the kids in the Sunday paper. She also stated that there are some earth friendly things that everyone can do to their home to save our earth.

Councilman Genutis stated that Bedford looks very beautiful at this time of year with all of the flowering trees and the Spring flowers and hopes that everyone is enjoying it.

Councilman Fluharty reminded everyone to get their W-2's in so it gets all taken care of by the middle of May. He stated that for everyone to take care of their property and cut their grass and if you have a problem find someone to help cut the grass.

Councilwoman Mizensak stated that all of her concerns were addressed to the City Manager over the weekend and she appreciated him having enough time to reply to some of the small concerns that she received over the weekend. She stated that we are going to possibly have Belle Ave. and Deborah Ln. resurfaced and wanted to know if it will include the curbs and City Manager Mallis replied that there will be no curb work done. Councilwoman Mizensak inquired if it would be the same people who did Powers Rd. and City Manager Mallis replied that we don't know and that we are tentatively advertising for bids, so we are not sure what the lowest will come in at and the most responsive bid. City Manager Mallis stated that he is not sure who it will be and that list is tentative and we will have to look and see what the numbers are, but we will have a recommendation to Council in the coming weeks.

Councilwoman Mizensak stated that there are some old flowering crab trees that did not survive the winter months and wanted to know how do we go around to rate these trees that have to come down and how soon can it be done and City Manager Mallis replied that our staff would be going around. City Manager Mallis stated that they have been out and trimming tree lawn trees and if they have identified any that need to come down we will get to them when we can. He stated that if they are large trees that have to be contracted out we will do that. He continued to state that it all depends on: safety, if it's an immediate hazard and what that is.

Councilwoman Mizensak inquired about the hanging cable line and if CEI is still removing the old polls and City Manager Mallis replied that when CEI replaces a poll or put in a new one they can't touch the cable companies' lines and they have to put in an order to that cable company to go out and relocate them. City Manager Mallis stated that once it is relocated then they can come out and remove the old poll, so when you see double polls its because the cable company hasn't transferred their stuff to the new poll yet and an order is waiting.

Councilman Asbury stated that the sign up for Youth Baseball runs until April 30<sup>th</sup>. He also stated that there are some online offerings: virtual painting and virtual cooking, so if you want to take a look at the city's website <https://www.bedfordoh.gov> click on Parks and Recreation to see all of their offerings.

Councilman Asbury stated that the Service Department is doing the Household Hazardous Roundup and the Computer Recycle Roundup stated today through April 30<sup>th</sup> from 8:00 a.m. to 3:00 p.m. during the week at the Service Department located at 100 Solon Rd. He continued to



stated that it will be on Saturday, April 24<sup>th</sup> from 9:00 a.m. to 12:00 p.m. He stated that the city's website will have a list of everything that you can drop off and recycle.

Councilman Asbury stated that the Bedford Downtown Alliance is looking for volunteers and their first "First Friday" will be on Friday, May 7<sup>th</sup>. He stated that the next volunteer's meeting is this Thursday, April 22<sup>nd</sup> at 7:00 p.m. at DePompeis.

Councilman Asbury warned everyone to be care on Tuesday into Wednesday that we might have some snow accumulation, so plan ahead and be safe.

Councilman Saunders stated that the concern on stop signs is a problem and it is getting bad. He stated that Mr. Monardo would like Nordham Dr. done before he turns 100 next January. He continued to stated that he knows it is listed as an alternate.

Councilman Saunders stated that a couple of crab apple trees on Columbus St. are dead. He also stated that the pear trees have an awful odder when they bloom even though they are very pretty to look at they smell. He also stated that it is nice to see people mowing their lawns but stop blowing it into the streets. He stated that not only does it plug the sewers, but if it gets wet cars can slide on it, so please once you cut your grass to get it out of the street so it doesn't create a hazard.

Councilman Saunders inquired if the city can check the sycamore tree at the corner of Ennis St. and Logan St.

**ORDINANCE NO. 9865-21:** AN ORDINANCE PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE CODIFIED ORDINANCES OF BEDFORD TO APPROVE, ADOPT AND ENACT THE MARCH 2021 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF BEDFORD, OHIO, HEREINAFTER "CODIFIED ORDINANCES", TO REPEAL CERTAIN ORDINANCES IN CONFLICT THEREWITH OR DEEMED OBSOLETE AND DECLARING AN EMERGENCY was read by title only. Motion made by Mizesak 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, Asbury and Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Saunders to place Ordinance No. 9865-21 on third and final reading and passed.

Mayor Koci stated that we do a couple of times a year to update all of the Codified Ordinance Books.

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

**ORDINANCE NO. 9866-21:** AN ORDINANCE AMENDING ORDINANCE NO. 9775-20 TO PROVIDE FOR CONTINUING MEMBERSHIP IN THE OHIO MUNICIPAL LEAGUE JOINT SELF-INSURANCE POOL, PROVIDING FOR PAYMENT THEREFORE 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, Mizsak, Asbury and Saunders. Nays: None. Motion carried unanimously.

Motion made by Asbury and seconded by Saunders to place Ordinance No. 9866-21 on third and final reading and passed.

Mr. Gambosi stated that the OML has represented us very well over the few years and we've had many cases that we've a party too. He stated that with some cases the accidents that we've had we have been a little bit excessive on the number of claims from the last couple of years, therefore by contract they do have the right to add an additional premium and they have done so for the year 2021. He stated that it is reasonable based on the amount of work load that they've had for us in the last three years.

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

**ORDINANCE NO. 9867-21:** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH **WELKER-MCKEE CLEVELAND** TO PURCHASE TOUCH FREE FAUCETS AND OTHER RESTROOM FACILITY UPGRADES FOR CITY HALL AND ELLENWOOD CENTER AND DECLARING AN EMERGENCY was read by title only. Motion made by Fluharty 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, Mizsak, Asbury and Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizsak and seconded by Saunders to place Ordinance No. 9867-21 on third and final reading and passed.

City Manager Mallis stated that we received two separate quotes and it is the Administrations recommendation to go with Welker-McKee. He also stated that they did obtain quotes for numerous hardware Brand Slone as-well-as Retro Fit Zuren Hardware, and currently we have Zuren equipment in the Municipal Center. He continued to state that it is their recommendation to go with the lower quotes for the Zuren Retro Fit that was provided by Welker- McKee. He stated that these upgrades will be funded through money that came in and approved under the CARES Fund to pay for these upgrades to both of these facilities, so it is not costing the city any money from the General Fund money.

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

**ORDINANCE NO. 9868-21:** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PARTICIPATE IN THE ODOT WINTER CONTRACT **(021-22)** FOR ROAD SALT AND DECLARING AN EMERGENCY was read by title only. Motion made by Saunders 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, Asbury and Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Asbury to place Ordinance No. 9868-21 on third and final reading and passed.

City Manager Mallis stated that we are required to give an estimate on the amount of tons the city will commit to purchasing next year. He stated that this is to allow ODOT to go out for bid to try and get the best price per ton for road salt. He stated that the city is committing to 2,800 tons and in participation with this bid process. He stated that out of the 2,800 tons we are required to commit to purchasing at least 90% of that number at which point we would have to store.

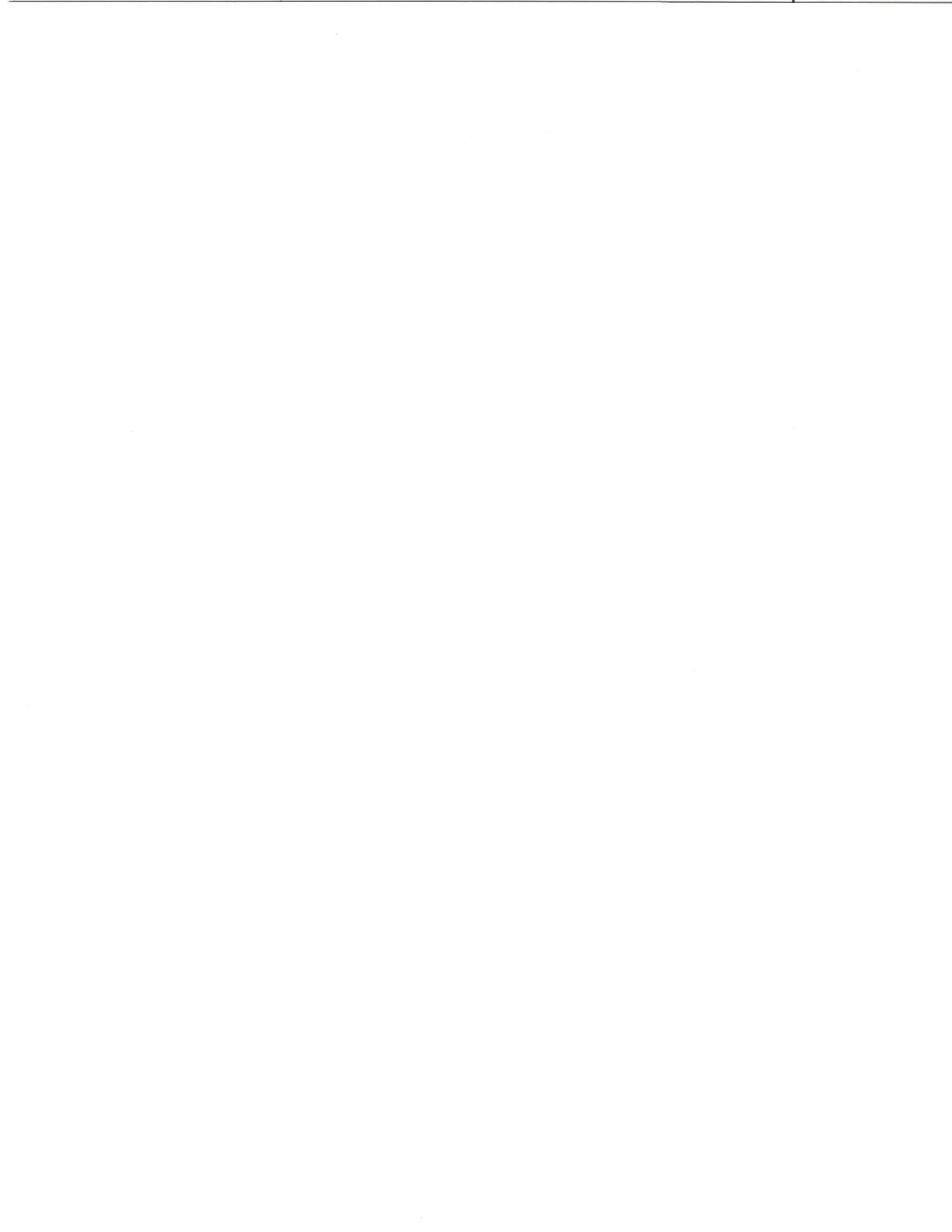
The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Asbury and Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Fluharty to approved the Zoning Board of Appeals decision to deny a variance of ordinance 1949.19 Signs Permitted in B-2A District (d) (16) Billboards – Prohibited requested by Aleksandr M. Rybak, 21821 Libby Rd. Bedford Heights, OH 44146. Mr. Montello stated that the denial is based on the concern of the property owners, a concern about the esthetics in the area and fact that a hardship cannot be based on financial reasons alone. He also stated that they state those is their motion. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Asbury and Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Spinks to appoint Angela Porinchak to the Record Retention Committee for the 3-yr. term. Mr. Gambosi stated that the Records Retention Committee is in charge of keeping track of all the records of the city, the requests, minutes of what records are going to be destroyed, what records are subject to our schedules in record retention to maintain those records. He stated that we meet twice a year and by law we have to look at things as to whether or not if any types of records need to be destroyed. He stated that there is an opening on the commission and he recommends Ms. Porinchak for this position. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Asbury and Saunders. Nays: None. Motion carried unanimously.

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).

Austin Reed, 764 Wellmon St., Bedford, OH: inquired as to when will Council be open to the public. He stated that if one can go out to the store or church there is no reason why Council Meetings cannot be held open to the public as designated. City Manager Mallis stated that it is something that we have been discussing and one of the components is that Council Chambers is not as large of a space as a church. He stated that there are twelve to thirteen people in this group and when we open it up to the public it could make things difficult to socially distance properly. He stated that if we are open we cannot turn people away, so right now it is something that each and everyone of us would prefer to meet and engage with the public again. He stated



that we just want to make sure that we do it safely, but also to be able to adhere to any guidelines that are currently in place. Mayor Koci stated that the governor is still allowing us to do remote meetings. He stated that all of us prefer to meet in person and we get a better dialogue, but until the governor says that we have too.

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

Meeting adjourned at 8:52 P.M.

  
Clerk of Council

  
Mayor – President of Council

Date: May 3, 2021

