

Bedford City Council met virtually via Zoom for the Work Session on Monday, June 7, 2021, at 6:30 p.m.

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

Mayor Koci began the discussion of the Regular Council Meeting agenda.

Council had no changes to the minutes of the Work Session of May 17, 2021, Regular Meeting of May 17, 2021.

Resolution No. 2565-21: approving and accepting the proposed 2021 Tax Budget for the year January 1, 2022, to December 31, 2022 Mayor Koci stated that this will on Third and Final Reading.

Ordinance No. 9876-21: contract with iamGIS Group, LLC for Asset Management Software and Services City Manager Mallis stated that this is an upgrade to the current GIS System. He stated that we started building our GIS System in 2018 with a small company for the Water Department and now we are looking to build on the software further and the current company has limited capacity to build on. He stated that iamGIS is beneficial for 1.) its unlimited users, 2.) the contract is for three (3) years, and 3.) the cost upfront is \$60,000.00. Councilman Genutis inquired as to who is the system administrator for the software as far as letting people in, passwords, restricting what people can edit and City Manager Mallis replied that we would control that internally and it would either be Mr. Bellar or Mr. Francis, but we haven't identified that yet. City Manager Mallis stated that unlimited users are that we could share that log-in information with another department that can then work to enter the information on that interface. Councilman Asbury stated that at the end of the three (3) years the City owns all of the information and he inquired as to what type of files are they proprietary to that software and if we go with someone else will it transfer and City Manager Mallis replied that it is not proprietary and that we can transfer that and we own all of the data.

Ordinance No. 9878-21: contract with Light of Hearts Villa City Manager Mallis stated that they assist and we utilize their social worker that is on staff at the Light of Hearts Villa. He stated that mostly the Fire Department and the Parks and Recreation Department who are in contact with senior citizens or members of the public who they feel may need some assistance, we contact Light of Hearts and they work with the social worker to assist. He continued to state that we have been working with them on this for some time now. Councilman Genutis stated that this is wonderful and that it is no more than \$10,000.00 and we only pay for what we utilize at an hourly rate. He stated that the hourly rate seems great and having access to a social worker is a great service for our seniors.

Ordinance No. 9879-21: amendment to the Community Cost-Share Agreement with The Northeast Ohio Regional Sewer District City Manager Mallis stated that this is the agreement that we have with Northeast Ohio Regional Sewer District. He stated that there are only a few



properties on Krick Rd. that are a part of the Regional Sewer District and they pay into it. He stated that as part of those payments the City gets a small percentage where we have to utilize it for projects. He continued to state that one of the projects that we have been using these funds for are projects for root cutting and televising our sewer system in some of our trouble areas. He stated that this portion of this contract is that we are using these funds to cover the cost of the root cutting and televising of Eldred Ave. last year. Councilman Genutis inquired about the few properties on Krick Rd. that their drainage and sewers do not run into the Bedford Sewer System and City Manager Mallis stated that is accurate.

Ordinance No 9880-21: establishing American Rescue Act Fund Mr. Gambosi stated that when we receive funds for this round coming up for the American Rescue Act Funds we need to establish a new fund. He stated that we picked fund number 217 and we need to file it with the State Auditors Office and they require us to create another fund for that.

Ordinance No. 9881-21: contract with Allied Door Systems, LLC for doors at Ellenwood Center City Manager Mallis stated that this is similar to the ordinance that we passed last year. He stated that it is for the Ellenwood Center door replacements and upgrades that were made to the east entrance. He stated that because we were replacing all of the glass there was a delay until March and seeing that it was passed last year the purchase order that was generated was closed out so we are passing it again since we are doing all of the work over at Ellenwood.

Ordinance No. 9882-21: amending the contract with Pelton Environmental Products City Manager Mallis stated that it is for the replacement parts that we need for the ultraviolet system. He stated that we do all of the repairs in-house. Councilman Genutis stated that the parts are expensive but the volume of water that is being processed is incredible. Mr. Montello stated that we had to amend the ordinance because Trojan is a distributor for Pelton and to properly spend the money we had to authorize the City Manager to enter into a contract with Trojan rather than Pelton. He stated that we want to have a complete record of what occurred and to be on the up and up.

Ordinance No. 9883-21: amending Ordinance No. 9827-20 making additional Appropriations Mr. Gambosi stated that we bought three (3) new copiers. He stated that the CDSG Fund received that grant for \$50,000.00 and we will be budgeting that for the downtown area and that there is an excess on it that but it is in line with the ARPA Funds that we will be receiving. He stated that WiFi qualifies under those rules and regulations and it worked out well for us. He stated that we have the SEAL Funds and we have some grants that we received for the radios, the OCDETF Grant where we work with the federal government and the Task Force, and the for the Fire Department who received some overtime. He stated that when we did the original budget the Water and Waste Water totals mixed up on the budget for other categories, so we are switching those two big figures around where they are supposed to be. He stated that the books were right and everything else was right except of the ordinance for the budget was incorrect, so we are correcting it on this ordinance to make it proper. He also stated that there were some street improvements and for the Northeast Ohio Regional Sewer District for the increase that we need on that project.



Resolution No. 2566-21: approving an update to the City of Bedford's Debt Management Policy and Debt Disclosure Policy Mr. Gambosi stated that we are approving two policies with this resolution one is the actual Debt Policy. He stated that the policy itself describes what, how, what type, when to issue debt, what percentages, and gets into the details of how we are going to be issuing the debt. He also stated that it also tells what the proper timings are and how much you should do in line with the budget. He stated that this is what Moody, Standard and Poors, and financial investors are looking for in the types of policies that the city has. He stated that we've had it for a while but never made it formalized so that everybody sees what we do behind the scenes. He stated that the Debt Disclosure Policy is how to disseminate information to the public and our investors. He stated that utilizing the FCC, the Securities and Exchange Commission, and the Municipal Securities Regulatory Board, and the EMMA System, which is the Municipal Electronic System of how we send the information out to the public and our investors. He stated that it is all computerized, required by federal regulations, and it is required by the debt structure. He continued to state that these are guidelines on how we disclose things, what type of information necessary, including CAFR, and the annual information disclosure that we do with Squires, Sanders, and Dempsey, and our Bond Counsel. He stated that it is attached to each of the different types of debt that we issue and we identify disclosure through that process on the electronic filing systems. He continued to state that we are establishing when, how, where, and how we are going to get that information out to the public all within these two policies. Councilman Asbury inquired under Waste Water if you go by the actual cost column and then the amount borrowed, the amount borrowed is more than the actual cost and he wanted to know why and Mr. Gambosi replied that the actual costs are a lot more borrowed than the amount borrowed, we were utilizing funds that we had on hand as well as grants during that time. Mr. Gambosi stated that for some of these items that we have we were able to get funding from OPWC, OWDA, and other entities versus issuing a bond issue. He continued to state making up the difference and/or utilizing cash at the time of those issuances. He stated that it shows people how we go out and those issues and how we come about with our funding. Councilman Genutis stated that on page five it comes out to the actual cost of \$5 plus Million, and borrowed \$5 Million, and inquired if it is telling him that the City of Bedford has approximately \$5 Million in borrowed debt presently and Mr. Gambosi replied that at that time and right now there is a lot more than that outstanding in debt, and we do have master schedules of all our debt. Mr. Gambosi stated that in different funds we different amounts that are outstanding, more so in the Waste Water Fund because of the improvements to the plants and the Water Department has a little, as well as our Road Program and Storms that come out of the General Fund. Councilman Genutis inquired if this policy gives guidelines on when to and when not to borrow money and Mr. Gambosi replied that yes it does. Councilman Genutis stated that he assumes that Mr. Gambosi has it all figured out in terms of how all of these things are being paid and Mr. Gambosi replied that yes in doing so with our budget every year. Councilwoman Mizesak inquired if the two columns on page five ever balance and Mr. Gambosi replied that we could have an issue where everything is borrowed that you need to spend it on, many times what you don't want is not to have that equal because you want grants and want things that will pay for the projects that we don't have to borrow for. Councilwoman Mizesak inquired about engineering costs and wanted to know if we were borrowing for his fees and Mr. Gambosi replied that whenever we have a contract for a road project or anything that we are doing there is always going to be planning on engineering, construction engineering costs, and inspection



engineering costs associated to the project. Mr. Gambosi stated that those fees can be borrowed against also in line with what the project itself and what the construction could cost also

Motion to approve the Planning Commission's decision to accept a conditional use approval to Matthew Benovic, Engineer with RE Warner & Associates 25777 Detroit Rd. Suite 200, Westlake, OH 44154, representing Chemtron Corporation 7013 Krick Rd. Bedford, OH 44146 is proposing an exterior alteration/addition to the existing structure(s) located at 7013 Krick Rd. City Manager Mallis stated that this is the company that purchased the old Huckill Chemical Facility. He stated that they are working to make substantial upgrades to that facility and to take it over. He also stated that they are looking to do exterior alterations but also looking to construct an additional building on that facility. He stated that it was approved by the Planning Commission and recommended to go forward. Mayor Koci inquired if they were going to be hiring more people and City Manager Mallis replied that it is over 20 people. Councilman Genutis stated that there are a lot of things that indicate to him that they are adding a processes about the EPA requirements, which have nothing to do with an exterior maintenance job. He stated that what he is reading from the minutes is that they are going to be adding at least one new process and that "Mr. Powers inquired as to what types of chemicals will be neutralized there and Mr. Benovic replied that it is a variety of chemicals that he would not be privy to process" and Councilman Genutis inquired as to what Mr. Benovic meant by that and City Manager Mallis replied that the gentleman that was speaking was their engineer and who was tasked with putting together the plans for the building. City Manager Mallis stated that what he was referring to is that he does not know the chemicals that they are dealing with and that he is just tasked with designing that facility. He continued to state that the chemicals that they would have would be those that are approved to be processed at that site by the EPA. He stated that they can't do anything unless the EPA says that they can and when chemicals come in they have to be transported out within 24 hours, where they are stored in comparison to other chemicals and the EPA is very strict on that process, which is why they are adding that facility. Councilman Genutis inquired if it is anything different than what is already happening there and City Manager Mallis stated that he doesn't believe it's different. City Manager Mallis stated that he is not privy to some of the EPA permitting yet, but this is in the early stages to where they want to enhance that facility so that they can move forward and apply for that permitting. Mayor Koci stated that this is just Council approving that they build a building. Councilman Genutis inquired if this was a new process or accepting new chemicals other than what they have always processed there and in the same as Hukill and Mayor Koci replied that it could be different chemicals too but the same type of process. City Manager Mallis stated that we would be the one approving a chemical or not approving a chemical all of that is regulated through the EPA. Mayor Koci stated that he hopes that they have the same relationship with our Fire Department. Councilman Genutis inquired if this is to approve the exterior and a building and not a chemical process and City Manager Mallis replied that it is the facility. Mayor Koci stated that they have to put up the building and then they have to go to the EPA for the process, so they can put up a building and not get approval for the process. Mayor Koci stated that right now we are approving them to do the building. Councilman Genutis stated that we have a responsibility to know what kind of dangers may exist.



Motion made by Spinks and seconded by Genutis to adjourn out of the Work Session to go into the Public Hearing for the Tax Budget. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizsak, and Asbury. Nays: None. Motion carried unanimously.

Adjourn out of the Work Session at 7:00 p.m.

Motion made by Asbury and seconded by Genutis to recommence back into the Work Session. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizsak, and Asbury. Nays: None. Motion carried unanimously.

Adjourn into the Work Session at 7:16 p.m.

Motion to approve the Planning Commission's decision to deny a conditional use approval to Asia Love, 5333 Northfield Rd. Suite 100 Bedford Heights, OH 44146 is requesting a conditional use approval to use the existing tenant space located at 633 Broadway Ave. Bedford, OH 44146 to provide makeup and skincare services to clients. 10 AM – 7 PM Tuesday – Saturday. City Manager Mallis stated that Mrs. Simons did share the meeting information with individuals that were in front of the Planning Commission and that he believes that they will be joining the Regular Council Meeting. He stated that this one was denied based on that the applicant did not show up at the Planning Commission Meeting. He stated that the businesses website seem to provide more services than just make-up and skin care and that was the reason it was denied. Mayor Koci inquired if they have an option to re-apply to the Planning Commission and Mr. Montello replied that she does know that it was denied. Councilman Asbury inquired if there was any other correspondence with the young lady about the hair facility since the Planning Commissions Meeting and City Manager Mallis replied that he wasn't sure if she received the denial and he asked Mrs. Simons if an email was sent out to Ms. Love about this evenings Council Meeting and Mrs. Simons replied that she did and that Mr. Beverly did as well. Mayor Koci stated that if we agree to deny it what's her option is it done or can she come back to the Planning Commission and Mr. Montello replied that she could come before the Planning Commission. Mayor Koci inquired that if we agree to deny it then the options are up to her then and Mr. Montello replied yes. Councilman Asbury stated that his concern is that she had given a new email address and it was forward to that email address to make sure that everything was correct when it was sent out. He stated to that if she responded to the second email that's great but if she didn't respond to it then maybe the email was typed wrong, we just have to make sure that she received it. City Manager Mallis stated that it talked about massage services on the website and that was something that was not in her application. He stated that the application specifically spoke of make-up and skin care, but if you go to the businesses website they also do massages and things of that nature. He stated that was one of the primary questions from the Planning Commission. Councilman Genutis stated that she has another business in Bedford Heights where she does massages and she didn't apply to do massages in Bedford and it wasn't a part of her application, so there seems to be an assumption being made that she would indeed do massages. City Manager Mallis stated that the assumption was she was re-locating, she did not show up for the meeting and we had these questions. He continued to state that we went on the website on our own during the Planning Commission Meeting, which is when these questions arose and she was not present to answer them, thus it was denied. Councilman Genutis stated that the vote was divided and City Manager Mallis replied that it was divided but that after the



meeting one of the members of the commission made a mistake in voting. City Manager Mallis stated that they thought that they were voting to deny and they were confused. He stated that yes the official vote was 3 to 2 not in favor, but off the record one of the members said that they voted the wrong way. Councilwoman Mizzak inquired when they get denied for their request is the letter of denial sent certified so that they can sign for it and City Manager Mallis replied that they do not send them certified. City Manager Mallis stated that it goes to their address and email that is provided in their application. Mayor Koci inquired that we can just vote on this and that he doesn't have to let them speak but that they can speak during the Hearing of Citizens. Mr. Montello stated that their opportunity for a hearing has passed but if wanted to hear what they had to say that's fine too. Councilman Genutis stated that he would vote "no" in this case and that he doesn't have enough information to deny having a business coming to an empty store front in Bedford. City Manager Mallis stated that she can re-apply. Mayor Koci stated that we are not opposed to having a new business in town the issue is to answer the questions. He stated that she didn't show up but she has recourse. Councilwoman Spinks stated that know the Planning Commission they do a lot of research when stuff comes before them. She stated that there was a lot of research, good reasoning, and it's all to protect our city. City Manager Mallis stated that what ever Council chooses with the vote is fair and you can indicate that there were questions that arose during the Planning Commission Meeting that weren't able to be answered. He also stated that she has the right to re-apply if she wishes and go that route.

Motion to approve the Planning Commission's decision to accept to accept a conditional use approval to Mr. Leon Sampat 22082 Lorain Rd., Fairview Park, OH 44126 representing Damian Williams 650 Broadway Ave. Bedford, OH 44146 is requesting another similar business, service, or professional establishment use approval to use the existing building/structure located at 650 Broadway Ave. Bedford, OH 44146 (formerly used as an Attorney's Office) to open a Cigar Store. The operation would be to purchase cigars with seating to enjoy your purchase if you don't want to smoke it at home. Open 10 A.M. – 6 P.M. (7) seven days a week. Mayor Koci stated that he doesn't have an objection to it and that there is another cigar shop planning to open as well. He stated that free trade will determine for one, two, or no cigar shops. Councilman Genutis stated that it's a very interesting business model and it's a very interesting business idea. Mayor Koci stated that the economy will determine whether they turn out to be a successful or not. Councilwoman Mizzak inquired as to how extensive would this entail for this property and would he go through all of the proper steps and motions to have a proper cigar store for the customer and Mayor Koci replied that he still has to do all of the requirements of the Building Department. Mayor Koci stated that he isn't sure if the Health Department gets into it or not, but Mr. Beverly would know and he would require it if needed.

Motion to approve the Planning Commission's decision to accept a conditional use approval to H. David Howe, Architect 3799 South Green Rd. Beachwood, OH 44122 representing Marek Blazejewski, 50 Broadway Ave. Bedford, OH 44146. Mr. Howe is proposing to remove the flat roof system, extend the exterior walls up 24-inches (3-course CMU) and install a new 4/12 slope roof system. Mayor Koci stated that this is a "yes" or "no" vote.

Discussion of the Regular Meeting agenda was concluded.

Mayor Koci began the discussion of the Railroad Crossing/Trains Legislation.



Discussion of the Railroad Crossing/Trains Legislation was concluded. City Manager Mallis stated that we have been dealing with the train stopping at the tracks. He stated that it was addressed about five years ago and it was better but it has picked up over the last month to two months to where they are stopping. He stated that they are stopping for forty minutes to as long as an hour and ten minutes. He continued to state that he has spent a substantial amount of time speaking to the managers at Intermodal and they are just as frustrated by this and they were pleading with us to help resolve it. He stated that he has even spoke with the Train Master and he believes that it stems from hours of operation from the crew operating the trains. He continued to state that the FRA has come down really strong on not going over their allotted time to the point where they are ordered to stop the trains. He stated that one of the things that we looked into is establishing some type of ordinance that delivers a substantial fine if they are literally parked on the train tracks. He stated that there is a law where we can deliver a substantial fine if they abandon the train, meaning someone gets out and walks away there is a large fine in that regard, but there is no fine for what we are dealing with. He stated that if they are blocking the two main streets for our safety forces to get from one side of town to another that's an issue. He stated that he hopes that they can resolve this issue but if it continues to happen what is our recourse. He continued to state that if it continues for a substantial amount of time that we can go ahead and deliver a substantial fine to the railroad company. Councilwoman Mizzak stated that whoever the conductor is on those trains has no respect for the cities and ignoring our situation. She stated that the railroad has to realize that they have to have responsibility for their error and that's delay. She stated that human life cannot be delayed. She stated that if we have to make an amendment to support this that she is in favor of supporting anything he does to get this eliminated. She stated that the conductors have to go to their rule books and start following the procedures from the established book of rules from the railroad company that owns the trains. Councilman Genutis inquired if it is illegal for them to block the road for an hour and Councilwoman Mizzak replied that ten minutes is the maximum. Councilman Genutis inquired that if it's illegal then why are we making an ordinance and City Manager Mallis replied that we do not have the authority to deliver substantial fines. Councilman Asbury stated to check with North Olmstead to see if they have a separate ordinance on the books but it can be done.

Mayor Koci began the discussion of Trash Collection. City Manager Mallis stated that had our largest issue last week in regards to trash collection. He continued to state that he will refer to this as construction debris and/or move out debris. He stated that as it states right now you have to provide your own trash collection to get rid of the debris, the same goes for large construction projects, Kimble does not collect those. He stated that in the event that a tree lawn is filled, which we experienced last week, we have the ability to issue a citation through the Police Department. He stated that we did contact the property owner and it must be cleaned up and removed within the day and that they will need to get their own private dumpster. He continued to state that it did not happen. He stated that what he would like to do is to establish some type of legislation in the event that what if a property owner or tenant refuses to do, we are not going to leave it that we need to have some type of recourse. He stated that we do not have anything on the books, say for example if we sent our staff to clean it up we can't bill them or if we order Kimble to collect it we can't turn around and make up a dollar amount and bill them. He stated that can we bill the property owner and it should be a substantial bill and if they fail to pay that we have the right to assess the property. Councilman Genutis stated that we do have the right



to abate blite and the cost for abating blite is aloud to be assessed. He continued to state that we do have an ordinance that we can utilize. City Manager Mallis stated that he would like to establish a fine amount and that there needs to be some type of penalty in there though.

Councilman Genutis stated that he has an aversion to adding more ordinances if we do already have some type way of siting someone, because we have way to many ordinances that we can't possibly enforce them. He continued to state that generally what happens is when there is a bad actor we make an ordinance and then for that instance and it's a reactionary ordinance that stays on the books. He continued to state that why are we enforcing this ordinance or that one when in reality it's not practical. Mayor Koci stated that when we make an ordinance we have to look at all of the ramifications not just the one thing that we are trying to do.

Councilman Genutis stated that he has an issue with someone who had a lot of cats coming into his yard and what we found out is that the pound does not take cats. Councilwoman Spinks stated that PETA came after a resident and told them to remove the mothballs in their own yard. She stated that Valley Save-a-Pet used to do cat placements and there are habitats for ferrel cats. Councilman Genutis stated that the Animal Control Officer in Bedford should be aware of that facility. Councilwoman Spinks stated that we don't pick up cats. Councilman Genutis inquired if the Animal Control person could contact the rescue operation to come and get the cats and City Manager Mallis replied that we can look into it. City Manager Mallis stated that cats stay where there is a consitant food source.

Discussion of Trash Collection was concluded.

Motion made by Fluharty and seconded by Mizesak to adjourn the Work Session. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, and Asbury. Nays: None. Motion carried unanimously.

Work Session adjourned at 7:59 p.m.

  
Clerk of Council

  
Mayor-President of Council

Date: July 6, 2021



Bedford City Council met virtually via Zoom for the Regular Session on Monday, June 7, 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, Mizsak, and Asbury. Absent: Saunders.

Motion made by Spinks and seconded by Asbury to approve the minutes of the Work Session Meeting of May 17, 2021. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizsak, Asbury and Saunders. Nays: None. Abstain: None. Motion carried unanimously.

Motion made by Mizsak and seconded by Fluharty to approve the Regular Meeting of May 17, 2021. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizsak, Asbury. Nays: None. Abstain: None. Motion carried unanimously.

**RESOLUTION NO. 2565-21:** A RESOLUTION APPROVING AND ACCEPTING THE PROPOSED 2020 TAX BUDGET FOR THE YEAR JANUARY 1, 2022 TO DECEMBER 31, 2022 AND DECLARING AN EMERGENCY was read by title only. Motion made by Spinks and seconded by Asbury to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizsak, and Asbury. Nays: None. Motion carried unanimously.

Motion made by Mizsak and seconded by Asbury to place Ordinance No. 9878-21 on third and final reading and passed.

Mrs. Howland stated that this is the Second Reading for the Tax Budget for 2021 for the year 2022. She stated that the First Reading was on May 17, 2021 and a Public Hearing this evening at 7:00 p.m. She stated that the three main purposes for this Tax Budget and they are: 1.) allows the County Auditor to set a property tax rate for next year and it is still at \$21.7 Mills, 2.) so that the City of Bedford can receive the Local Government Funds from the state and the county, and 3.) it also allows the County Auditor to provide the City of Bedford with a Certificate of Estimated Resources. She stated that this limits the amount of money that Council can appropriate for the year 2022. She stated that this budget does not appropriate any money for the coming year, but it does set the revenue base to pay for expenditures where we will start reviewing that in August and pass it in December.

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

**ORDINANCE NO. 9876-21:** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH iamGIS GROUP, LLC (“GIS”) FOR ASSET MANAGEMENT SOFTWARE AND SERVICES FOR THE COMMUNITIES PUBLIC WATER AND SEWER INFRASTRUCTURE AND DECLARING AN EMERGENCY was read by title only. Motion made by Asbury and seconded by Spinks to suspend the rule requiring the reading of said ordinance on three different days. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizsak, and Asbury. Nays: None. Motion carried unanimously.



Motion made by Fluharty and seconded by Mizesak to place Ordinance No. 9878-21 on third and final reading and passed.

City Manager Mallis stated that as mentioned at the last meeting we started implementing our asset management in 2018 and the staff has done a terrific job in mapping all of those assets. He stated that we are to the point now where we are ready to expand on the system and we started looking and obtaining different quotes for asset management software and we came iamGIS Group. He stated that 1.) there unlimited users and 2.) it is not proprietary we own all of the data. He stated that he recommends moving forward to expand our internal GIS System.

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

Mayor Koci stated that there was an inquire as to when we were going to start open meetings and it was decided by Council at the last meeting that we would still do Zoom Meeting June, July, and August and open the meetings back up in September. He stated that 1.) we only have one meeting a month in the summer and 2.) with everything opening up on June 2<sup>nd</sup> we felt that June was to early to open up the meeting until we get feed back on what is happening in the public for a spike in COVID cases. He continued to state that we would then re-evaluate it in July and August that if things were going smoothly we could start our meetings then and if not, we will wait until September.

City Manager Mallis stated that if you are interested in volunteering please reach out to Meals-On-Wheels and that information can be found on our website or you can contact our offices and we will put you in touch with the individuals running that organization. He also stated that our Fire Department has been working through their regular park rescue training and in addition the Fire Department posted a safety video, which was shared on our social media outlets and the website. He stated that it highlights the dangers of entering the water down at the Bedford Glen's area and Via Duct Park. He stated that our motorcycle unit has been out and that unit is working to targeting traffic enforcement. He stated that we spoke with some out of state owners of a large facility at 232 Forbes Rd., it was the owner's interest to market that facility and sell it. He continued to state that after discussing with numerous individuals and agencies it appears that their best interest is to demolish that facility. He stated that we will be working with them and they will be looking to demolish that building later this summer and it will lead to land that will be marketable for new construction. He stated that our road program is underway and we gave Vandra Brother's the notice to proceed last week and they started on Deborah Ln. and Belle Ave. He stated that they started the saw cutting to start the concrete work on Egbert Rd. as well as Edgewood Rd. He urged the public that Edgewood Rd. will be challenging and that there will be some detour signs and some one-way roads coming up Edgewood Rd. to West Grace St., so please follow the signage available. He stated that the Ellenwood Ave. Project is nearing the end. He stated that the Municipal Pool is scheduled to open on June 16<sup>th</sup> and for any information please visit our website and follow us on social media as well as follow the Parks and Recreation Department on social media. He continued to state that if you are looking for some seasonal work please contact the staff for those opportunities. He stated that we have been communicating with Cuyahoga County and the tentative schedule to bid the Union St. Project is



later this summer and ultimately performing the work, awarding the project and construction late summer early fall. He stated that we spoke briefly in our Work Session about train traffic specifically the trains stopping and parking at the crossings. He stated that we have been in communication with a number of individuals with Norfolk Southern and in communication with the management team at the Intermodal in Maple Heights along with the Train Master. He stated that the Train Master did express his understanding for it and they were going to work with their dispatch centers to try and remediate it. He stated that we are looking internally at some other options, but he wanted the public to know that those trains stopping at the tracks for 30 to 50 minutes is not acceptable to any of us and we are working to try and resolve it. He stated that we did put in for a portion of a grant that we applied for a few years ago and we were recently notified through Dopwick that the city will be eligible for a substantial amount of money for some infrastructure repairs, sewer repairs and small portion of our capital that we are investing on Union St. He stated that Dopwick is meeting later this month to review that request and we had to adjust that request being that Cuyahoga County is now paying for the majority of Union St. He stated that they will be voting to approve \$320,000.00 which is our portion of the resurfacing and around \$200,000.00 in sewer repairs. He stated that if we are able to secure this funding we will look to Council to possibly amend our Road Program to include another street or two and we will not know that until later this month. He stated that since our last meeting we have been in constant communication with various events and event organizers to plan events downtown this summer. He stated that we are going to have a calendar of events that we are going to release in the near future highlighting some of these events. He stated that the city is also looking to plan additional entertainment on the square and that will include a movie night on the commons as well as music on Wednesday evenings throughout the summer.

That concluded the City Managers report.

Law Director John Montello had no report this evening.

That concluded the Law Director's report.

Finance Director Frank Gambosi stated that the auditors are finishing up the 2020 audit. He stated that includes all of our federal grants that had to be reviewed audited through our federal single audit requirement. He stated that from July 23<sup>rd</sup> to 25<sup>th</sup> we are going to start the procedures for the Bedford Rotary Club's Welcome Back Festival.

That concluded the Finance Director's report.

Councilwoman Mizsak stated that it was wonderful to see everyone at the Memorial Day Parade. She stated that it was and will always be a solemn event and everything was done to perfection. She inquired about an update on Big and Little and also the Train Club still going to be at the Ellenwood Recreation Center and City Manager Mallis replied that their equipment was still in the building and that the director was communicating with them as to what their plans were. Councilwoman Mizsak wanted to know if Big and Little have new owners or are the available to be reoccupied and City Manager Mallis replied that they are new owners and they will be opening shortly. Councilwoman Mizsak stated her condolences to the Bender Family on the passing of Mrs. Bender, they used to be dedicated people in attending every Council Meeting



that they could attend. She that for the COVID vaccine there are still a lot of free vaccines available at the local DrugMart.

Councilman Asbury stated that the Community Shred Day is this coming Saturday, June 12<sup>th</sup> from 9:00 a.m. to 12:00 p.m. at City Hall. He stated that anything that you want shred please have it in your trunk and our wonderful volunteers will get it from your trunk and take it to be shred. He stated that the chipper service is this week starting June 7<sup>th</sup> and make sure to call the Service Department to be put on the list and the number is (440)735-6583. He stated that the First Friday was last Friday and it went really well and we honored our Hometown Hero's which are police, fire, teachers, service department and University Hospitals. He stated that the next First Friday is Friday, July 2<sup>nd</sup> and the theme is Party in The USA from 6:00 p.m. to 8:00p.m. downtown. He stated his condolences to Walton Hills Police Department and their community on the passing of their K-9 Arrow last week. He continued to state that Arrow served the community as a K-9 Officer for 12 years.

Councilwoman Spinks stated that yesterday was "National Cancer Survivor Day." She stated that once her husband gets out of the hospital he will be in quarantine for 100 days, so if she isn't seen at any events that is the reason why to protect her husband. She stated that Mrs. Bender was a wonderful lady and sends her condolences to the family for her passing. She congratulated all of the high school and college graduates. She reminded residents do not blow your grass cuttings into the street and if they have a landscaping service to remind them as well. She reminded everyone to please no parking on the lawn.

Councilman Genutis stated that he feels so lucky and enriched by all of the nature that we have for communion and his whole lifetime here on Wellmon St. He stated that he has been inspired to clean up the streets and sidewalks in the downtown area except for Ms. Rhoades and that she was very instrumental in the Bedford Downtown Alliance and now Councilman Asbury is and it is a wonderful thing. He stated that the best way to keep people from throwing trash is to keep it picked up. He stated that he was delight to hear that our City Manager is finding funding to get some more trash receptacles.

Councilman Fluharty stated that we do need volunteers for Meals-On-Wheels and we are delivering everyday now, where during the pandemic it was once a week. He stated that if you are interested get ahold of them on the website or call a Council Member. He stated that it is a great opportunity to help people.

Mayor Koci thanked the Joint Veterans Council who put on the Memorial Day Parade. He stated that it is a moving experience with the parade and it has been going on for over 150 years in the City of Bedford. He also stated that Shadow of the Run is a nice production and they are professional actors that put on an immersive play.

**ORDINANCE NO. 9878-21:** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH LIGHT OF HEARTS VILLA AND DECLARING AN EMERGENCY was read by title only. Motion made by Spinks 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, Mizesak, and Asbury. Nays: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Genutis to place Ordinance No. 9878-21 on third and final reading and passed.

City Manager Mallis stated that this our regular contract that we enter with Light of Hearts to provide social work specifically the expertise of their social worker. He stated that it is very beneficial for the community and we recommend continuing it.

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

**ORDINANCE NO. 9879-21:** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED COMMUNITY COST-SHARE AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT FOR THE COMMUNITY COST-SHARE PROGRAM AND DECLARING AN EMERGENCY was read by title only. Motion made by Asbury 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, and Asbury. Nays: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Genutis to place Ordinance No. 9879-21 on third and final reading and passed.

City Manager Mallis stated that Northeast Ohio Sewer District they provide a percentage of the fees that they collect to the home community for various projects in that community. He stated that we only have a few properties that pay into the Northeast Ohio Regional Sewer District primarily off of Krick Rd. He stated that we are amending this agreement and we entered into a separate agreement with Cuyahoga County to provide root cutting, cleaning and televising in some of the areas where we have experienced challenges in the past. He stated that we are amending this agreement to utilize the funds that went towards the sewer work that we did on Eldred Ave. and now we want to amend that agreement to utilize those funds to cover those costs.

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

**ORDINANCE NO. 9880-21:** AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO ESTABLISH AND MAINTAIN A NEW FUND FOR THE CITY OF BEDFORD REFERRED TO AS AMERICAN RESCUE PLAN ACT FUND 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, and Asbury. Nays: None. Motion carried unanimously.



Motion made by Asbury and seconded by Genutis to place Ordinance No. 9880-21 on third and final reading and passed.

Mr. Gambosi stated that this fund is being required by the State Auditors Office to establish any monies that we get in for the ARPA Funds. He stated that when they do come in we will have in our fund number for 217 and account for it separately just like what we did with the CARES ACT Funds that we had last year. He stated that this fund will be for capital projects and projects that the city has to do in line with those revenue sources.

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

**ORDINANCE NO. 9881-21:** 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 Spinks 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, Mizesak, and Asbury. Nays: None. Motion carried unanimously.

Motion made by Genutis and seconded by Asbury to place Ordinance No. 9881-21 on third and final reading and passed.

City Manager Mallis stated that we passed this ordinance last year and it was utilizing funds to make improvements to the doors and glass at the east entrance way at the community center. He stated that at the time a lot of the materials were on back order until March and being that we already opened up a purchase order we had to close it out last year and we are re-doing the same ordinance allowing us to pay the company doing the work.

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

**ORDINANCE NO. 9882-21:** AN ORDINANCE AMENDING ORDINANCE NO. 9873-21 AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TROJAN UV FOR MAINTENANCE AND INVENTORY TO THE ULTRA-VIOLET DISINFECTION SYSTEM AND DECLARING AN EMERGENCY was read by title only. Motion made by Mizesak 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, Mizesak, and Asbury. Nays: None. Motion carried unanimously.

Motion made by Asbury and seconded by Genutis to place Ordinance No. 9882-21 on third and final reading and passed.

City Manager Mallis stated that this is for parts needed for our ultra violet system at the Waste Water Treatment Plant. He stated that we make the repairs to the system in house once we obtain the equipment needed. He stated that we previously passed it with Pelton and they work directly with Trojan UV as their supplier and that is who the bill would come from. He stated



that to make sure everything was clean for the ordinance we just wanted to reflect that in this piece of documentation.

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

**ORDINANCE NO. 9883-21:** AN ORDINANCE AMENDING ORDINANCE NO. 9827-20 MAKING ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2021 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, Mizesak, and Asbury. Nays: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Genutis to place Ordinance No. 9883-21 on third and final reading and passed.

Mr. Gambosi stated that this is our update to the ordinance that we do and we had three purchases of copiers this year and we are budgeting for those replacements. He also stated that we have the CDBG supplemental grant, where we are getting the downtown area grant for \$50,000.00 and part of it is a band width increase on the square and that is an extra \$6,796.00 that will be taken out of the ARPA Funds. He stated that it is also for the Ellenwood Center doors as well. He stated that we also have the SEAL confiscated funds and two other grants with the radio acquisition and OCDETF and our Fire US and our Task Force. He stated that we had some items in our Capital Improvements Funds for the Storm Sewer that was talked about earlier and a correction entry from the original appropriation of this year. He stated that is moving money for water to sewer and changing the figures to match the correct numbers.

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

**RESOLUTION NO. 2566-21:** A RESOLUTION APPROVING AN UPDATE TO THE CITY OF BEDFORD DEBT MANAGEMENT POLICY AND DEBT DISCLOSURE POLICY AND DECLARING AN EMERGENCY was read by title only. Motion made by Asbury and seconded by Fluharty to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, and Asbury. Nays: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Genutis to place Resolution No. 2566-21 on third and final reading and passed.

City Manager Mallis stated that we have two actual policies and one being a debt management policy. He stated that it describes what type of debt we're doing, how we're doing it, when we're doing it, and when to issue it. He stated that it gives a listing and a guide as to how we go about doing our debt and reserves and calculations in more detail. He stated that we also have with the resolution a debt disclosure policy in how behind the scenes we are dealing with the



rating agencies in regards to investors and disclosing that information to the investors thru the FCC requirements, MSRB Ruling Board and EMMA System. He stated that it gives a little bit more details about what is going on with the city, any major developments and giving property disclosures in line with all of the federal regulations.

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

Motion made by Spinks and seconded by Fluharty to approve the Planning Commission's decision to accept a conditional use approval to Matthew Benovic, Engineer with RE Warner & Associates 25777 Detroit Rd. Suite 200, Westlake, OH 44154, representing Chemtron Corporation 7013 Krick Rd. Bedford, OH 44146 is proposing an exterior alteration/addition to the existing structure(s) located at 7013 Krick Rd.

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

Motion made by Mizesak and seconded by Spinks to approve the Planning Commission's decision to deny a conditional use approval to Asia Love, 5333 Northfield Rd. Suite 100 Bedford Heights, OH 44146 is requesting a conditional use approval to use the existing tenant space located at 633 Broadway Ave. Bedford, OH 44146 to provide makeup and skincare services to clients. 10AM – 7PM Tuesday – Saturday

The roll was called. Vote – Yeas: Koci, Spinks, Fluharty, Mizesak, and Asbury. Nays: Genutis. Motion carried with Yeas Five and Nays One.

Motion made by Mizesak and seconded by Asbury to approve the Planning Commission's decision to accept to accept a conditional use approval to Mr. Leon Sampat 22082 Lorain Rd., Fairview Park, OH 44126 representing Damian Williams 650 Broadway Ave. Bedford, OH 44146 is requesting another similar business, service or professional establishment use approval to use the existing building/structure located at 650 Broadway Ave. Bedford, OH 44146 (formerly used as an Attorney's Office) to open a Cigar Store. The operation would be to purchase cigars with seating to enjoy your purchase if you don't want to smoke it at home. Open 10AM – 6PM (7) seven days a week

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

Motion made by Fluharty and seconded by Genutis to approve the Planning Commission's decision to accept to accept a conditional use approval to H. David Howe, Architect 3799 South Green Rd. Beachwood, OH 44122 representing Marek Blazejewski, 50 Broadway Ave. Bedford, OH 44146. Mr. Howe is proposing to remove the flat roof system, extend the exterior walls up 24-inches (3 course CMU) and install a new 4/12 slope roof system

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



Motion made by Mizzak and seconded by Genutis to excuse Councilman Saunders. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizzak, and Asbury. 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).

Asia Love, 5333 Northfield Rd. Suite 100 Bedford Heights, OH 44146 stated about the face masters and wanted to know why it would be denied and they never got a chance to speak as to what it is and she thought that this is what particular Council Meeting was about. Mayor Koci stated that our process is to vote on them and then have a discussion. He stated that the reason it was denied is because you did not show up to the Planning Commission Meeting and they had some questions that they needed answered and we needed them answered as well. Mayor Koci stated that they do have recourse to file again if they so wish. Ms. Love stated they had an emergency surgery and they were out of town at the time for that meeting. She stated that they did try to schedule it and we would definitely like to re-apply because it's a simple business that would enhance the area. She stated that if we could be able to explain exactly what the services are for she thinks it would be something the city would not disagree to.

Jeff Duber stated that the speaker system this year was better than it has ever been. City Manager Mallis stated it's more of a challenge at the cemetery given the noise from Northfield Rd. He stated that they had a couple of different systems and they let the organization choose which one they wanted to use and we are looking at more of a permanent fix to it.

City Manager Mallis stated that LPV and our staff did a great job filming the Memorial Day Parade and it is posted to our YouTube Channel.

Mayor Koci asked if there were any other comments. There being no further comments, motion made by Spinks and seconded by Genutis to go into an Executive Session to discuss Economic Development: Historic District and Personnel: Boards & Commissions, PD Vacancy, and Union Negotiations. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizzak, and Asbury. Nays: None. Motion carried unanimously.

Adjourned into Executive Session at 9:06 p.m.

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

Adjourned out of Executive Session at 10:04 p.m.

Motion made by Spinks and seconded by Mizzak to adjourn. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizzak, and Asbury. Nays: None. Motion carried unanimously.



Meeting adjourned at 10:05 P.M.

  
Clerk of Council

  
Mayor – President of Council

Date: July 6, 2021