

Bedford City Council met in a Work Session at Bedford City Hall on Monday, December 20, 2021, at 6:00 p.m.

Present: Council Members: Sandy Spinks, Walter Genutis, Victor Fluharty, Paula Mizesak, Jeff Asbury, and Donald Saunders. Absent: Mayor Stan Koci. Also Present: Clerk of Council Tracy Simons. Administration: Law Director John Montello, Finance Director Frank Gambosi, Assistant Finance Director Jennifer Howland. Absent: City Manager Michael Mallis.

Vice-Mayor Fluharty began the discussion of the Regular Council Meeting agenda.

Council had no changes to the minutes of the Budget Work Session of November 22, 2021.

Council had no changes to the minutes of the Budget Work Session of November 29, 2021.

Council had no changes to the minutes of the Work Session of December 6, 2021, Regular Meeting of December 6, 2021.

Ordinance No. 9931-21: MOU with CCBH for phase II Stormwater Services; Mr. Gambosi stated that these are projects that we've been doing for a couple of year's and it has to do with the Stormwater grant with the County.

Ordinance No. 9932-21: contract with National Pump and Process for replacement of pumps for sand filtration system at WWTP; Mr. Gambosi stated that this to replace the pumps and the administration recommends this company. Mrs. Howland stated that this is an ongoing project.

Ordinance No. 9933-21: contract with Thomas Scientific to purchase a laboratory dishwasher at WWTP: Mr. Gambosi stated that this is for a commercial dishwasher and it is replacing the old one.

Ordinance No. 9934-21: contract with Meritech to purchase a new color copier/printer/color scanner for the Recreation Department: Mr. Gambosi stated that the old contract with the previous company was up and that they did going to buy and bid it out, they decided to go with this company.

Ordinance No. 9935-21: amending Ordinance No. 9827-20 making additional Appropriations; Mr. Gambosi stated that the appropriations are for City Manager, health insurance for the Municipal Court, First Suburbs Consortium, SEAL Funds, grants for the Police Department for bulletproof vests, Shop-with-a Cop to allow to accept it and for it to be spent out, food commodities, health insurance, and confiscation of funds.

Resolution No. 2575-21: authorize participation in Johnson & Johnson Opioid Settlement; Mr. Montello stated that this is a notice to see if the City wants to participate in it and the money is donated to people who are addicted to Opioids.

Resolution No. 2576-21: reaffirming and expanding the Equal Employment Opportunity Policy: Mr. Gambosi stated that EEOP (Equal Employment Opportunity Policy) is creating a policy and

when the City applies for grants an EEOP is required. He stated that he reached out to Shaker Heights and that this puts the plan into the format that we need and it gets certified. He stated that this will be required from here on out when applying for grants.

Motion to accept the Planning Commission's decision to accept the conditional use approval to Corinne Kelly, Managing Member for DC Kelly Investments, LLC, located at 3715 Windy Hill Lane, Solon, OH 44139, to operate a Residential Facility Class 2 (Group Home) in the existing dwelling located at 43 Woodrow Ave., Bedford, OH 44146. Vice-Mayor Fluharty stated that a "Yes" vote means that you agree with the Planning Commissions decision and a "No" vote means that you don't agree with the Planning Commissions decision. Mr. Montello stated that this is for people without any medical issues and that it is just for veterans.

Discussion of the Regular Meeting agenda was concluded.

Vice-Mayor Fluharty began the discussion of the Organizational Meeting in January;

Discussion of the Organizational Meeting in January was concluded.

Motion made by Spinks and seconded by Asbury to go into an Executive Session to discuss Personnel: Finance Department. The roll was called. Vote – Yeas: Spinks, Genutis, Fluharty, Mizsak, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Adjourned into Executive Session at 7:16 p.m.

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

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

Work Session adjourned at 7:59 p.m.


Clerk of Council


Mayor-President of Council

Date: January 18, 2022

Bedford City Council met in Regular Session at Bedford City Hall on Monday, December 20, 2021. Vice-Mayor Fluharty called the meeting to order at 8:04 P.M. The meeting was opened by pledging allegiance to the flag.

The roll was called. Present: Spinks, Genutis, Fluharty, Mizesak, Asbury, and Saunders. Absent: Koci.

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

Motion made by Asbury and seconded by Mizesak to approve the minutes of the Budget Work Session Meeting of November 22, 2021. The roll was called. Vote – Yeas: Spinks, Fluharty, Mizesak, Asbury, and Saunders. Nays: None. Abstain: Genutis. Motion carried with Five Yeas and One Abstain.

Motion made by Genutis and seconded by Spinks to approve the minutes of the Budget Work Session Meeting of November 29, 2021. The roll was called. Vote – Yeas: Spinks, Genutis, Fluharty, Mizesak, Asbury, and Saunders. Nays: None. Abstain: Asbury. Motion carried with Five Yeas and One Abstain.

Motion made by Asbury and seconded by Saunders to approve the minutes of the Work Session Meeting of December 6, 2021. The roll was called. Vote – Yeas: Spinks, Genutis, Fluharty, Mizesak, Asbury, and Saunders. Nays: None. Abstain: Mizesak. Motion carried with Five Yeas and One Abstain.

Motion made by Spinks and seconded by Genutis to approve the Regular Meeting of December 6, 2021. The roll was called. Vote – Yeas: Spinks, Genutis, Fluharty, Mizesak, Asbury, and Saunders. Nays: None. Abstain: Mizesak. Motion carried with Five Yeas and One Abstain.

Law Director John Montello had no report this evening.

That concluded the Law Director's report.

Finance Director Frank Gambosi wished everyone a Merry Christmas and a Happy New Year. He stated that the Tax Department is finishing up the letters of notice to everyone for the amounts they paid in estimates for this year. He noted that the Tax Department had done an excellent job this year.

That concluded the Finance Director's report.

Councilwoman Spinks sent condolences to Mr. Allen's family. She that Mr. Allen was a nice person and he did a great job. She wished everyone a Merry Christmas.

Councilman Genutis wished everyone a Merry Christmas and a Happy New Year.

Councilman Fluharty wished everyone a Merry Christmas and a Happy New Year.

Councilwoman Mizensak thanked everyone in Ward 4 for a beautiful year, and she wished everyone a Merry Christmas and Happy New Year.

Councilman Asbury wished everyone a Merry Christmas and a safe, healthy, and prosperous New Year.

Councilman Saunders thanked all of the residents who decorated this year for Christmas; it's nice to see people getting involved in making the City look beautiful during the holidays. He wished everyone a Merry Christmas and a Happy New Year. He also stated that the COVID cases are on the rise in Northeast Ohio, and it is one of the worst areas in the state right now. He said to stay safe and enjoy the holidays.

That concluded Council's report.

ORDINANCE NO 9931-21: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CUYAHOGA BOARD OF HEALTH FOR THE AUTHORITY AND CONSENT TO PROVIDE PHASE II STORMWATER SERVICES IN YEARS 2022-2025 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: Spinks, Genutis, Fluharty, Mizensak, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Asbury to place Ordinance No 9931-21 on third and final reading and passed.

Mr. Gambosi stated that this is a contract with the Sewer District in Northeast Ohio Regional Sewer. They help us promote education and outreach and public participation in our sanitary sewers and discharges along with the storm sewers in the City. He stated that they fund this program and for Council to approve it this evening to get the paperwork in on time.

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

ORDINANCE NO 9932-21: AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH NATIONAL PUMP AND PROCESS FOR REPLACEMENT OF PUMPS FOR THE SAND FILTRATION SYSTEM AT THE WASTEWATER TREATMENT PLANT (WWTP) AND DECLARING AN EMERGENCY was read by title only. Motion made by Saunders and seconded by Mizensak to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Spinks, Genutis, Fluharty, Mizensak, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Genutis to place Ordinance No 9932-21 on third and final reading and passed.

Mr. Gambosi stated that the Superintendent at the WWTP has looked at the pumps that need to be replaced; he did receive bids on them and to take the lowest of the bids for this evening.

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

ORDINANCE NO 9933-21: AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THOMAS SCIENTIFIC FOR THE PURCHASE OF A LABORATORY DISHWASHER AT THE WASTEWATER TREATMENT PLANT (WWTP) 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: Spinks, Genutis, Fluharty, Mizesak, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Asbury and seconded by Mizesak to place Ordinance No 9933-21 on third and final reading and passed.

Mr. Gambosi stated that at the treatment plant, all of the scientific equipment they work with has to be adequately sterilized, and they are asking to replace an old washer for the equipment. He also stated that they need to sanitize the products when presenting their reports to the EPA.

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

ORDINANCE NO 9934-21: AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MERITECH FOR THE PURCHASE OF A NEW RICOH IM C4500 DIGITAL COLOR COPIER/PRINTER/COLOR SCANNER FOR THE RECREATION DEPARTMENT, 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: Spinks, Genutis, Fluharty, Mizesak, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Asbury and seconded by Saunders to place Ordinance No 9934-21 on third and final reading and passed.

Mr. Gambosi stated that the Recreation Department was working to replace one of the copiers, it was on a lease, and the company does want the machine back. The hard drive will be wiped out and returned, and in the meantime, we do need to purchase a new one, which is what this ordinance is for.

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

ORDINANCE NO 9935-21: 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 Mizesak and seconded by Asbury to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Spinks, Genutis, Fluharty, Mizesak, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Genutis and seconded by Spinks to place Ordinance No 9935-21 on third and final reading and passed.

Mr. Gambosi stated that this ordinance is the final update for 2021. He noted that some that we had to increase for the Municipal Complex contracts and professional services \$50,000.00, health insurance fund had to increase \$205,000.00 for all the claims that need to be paid, SEAL Fund had an enormous amount of money collected this year by the confiscations from the Drug Team representing the Southeast Area of Cleveland for \$850,000.00 that is appropriated this evening. He stated that there were quite a few other grants for the bulletproof vests spending \$8,500.00, Shop-with-a- Cop check came in and allowed it to be spent as a donation from a corporation, flowing through the City. We will be using those funds as they come in for that need, CARES Health and Human Services gave the City a \$500.00 grant, for food commodities we did spend more money this year is that there were more in need from the City to appropriate \$15,000.00 to accommodate for expenses there. He also stated that for the water and wastewater bond issue that we refunded earlier this year, that is a slight adjustment to the actual interest calculations and closing costs, which saved the City over \$400,000.00.

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

RESOLUTION NO 2575-21: AN EMERGENCY RESOLUTION AUTHORIZING THE EXECUTION OF A PARTICIPATION AGREEMENT ACCEPTING THE TERMS OF THE JOHNSON & JOHNSON NATIONAL OPIOID SETTLEMENT, AND DECLARING AN EMERGENCY was read by title only. Motion made by Asbury and seconded by Saunders to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Spinks, Genutis, Fluharty, Mizesak, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Genutis to place Resolution No 2575-21 on third and final reading and passed.

Mr. Montello stated that this is a national settlement that requires 95% of the communities in Ohio to accept the settlement. The City has the opportunity to share in the proceeds if we decide to do so. He stated that this is necessary for Council to pass it for the City to participate in the settlement.

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

RESOLUTION NO 2576-21: A RESOLUTION REAFFIRMING AND EXPANDING THE CITY'S EQUAL EMPLOYMENT OPPORTUNITY POLICY 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 resolution 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 Saunders and seconded by Asbury to place Resolution No 2576-21 on third and final reading and passed.

Mr. Gambosi stated that when the City applies for the Ohio Justice Program Grants through the County, State, and Federal, we have to have specific verbiage in our plan and policy of the Equal Employment Opportunity and that verbiage. He asked Council to pass it so that the City could process this to the proper agencies.

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

Motion made by Spinks and seconded by Genutis to accept the Planning Commission's decision to accept the conditional use approval to Corinne Kelly, Managing Member for DC Kelly Investments, LLC, located at 3715 Windy Hill Lane, Solon, OH 44139, to operate a Residential Facility Class 2 (Group Home) in the existing dwelling located at 43 Woodrow Ave., Bedford, OH 44146.

Councilman Saunders inquired if the personnel in the home will have free-range, or will they be controlled, or will they be controlled and do whatever they want. Ms. Kelly stated that they would have to sign a lease, and it is stipulated in the lease that they cannot have guests over, smoke, do drugs, so they don't have complete free range. Mr. Montello stated that the Planning Commission did review some of these things with Ms. Kelly and that they have to comply with the State and Federal mandates to participate. He also stated that the Planning Commission reviewed parking and security issues, and they are aware that they have to come up with a plan. He said that their target audience is veterans who live together that normally cannot live independently.

Councilman Saunders stated that if everyone has their car, there will be parking along the street, and the City has had many issues with group homes parking in the streets so that the residents can't use it. He stated that street parking is for overflow parking in the driveway and not a permanent extension, and to please watch the amount of parking they would have in the home if/and when they get licensed. Mr. Montello stated that was brought up at the Planning Commission meeting, and Ms. Kelly is aware of the parking. Ms. Kelly said that there is a garage, a long driveway, and the max occupancy is five (5) people.

Councilwoman Spinks stated that the target audience will be veterans and wanted to know if any counseling would be offered to them at home. Ms. Kelly replied that at this point, no, but it is possible that they might contract with them a service. Councilwoman Spinks thanked Ms. Kelly for offering a place for the veterans to live.

Mr. Gambosi inquired if it would be a non-profit running the agency and rental income from individuals renting the facility, and Ms. Kelly replied that it is not a non-profit. They will generate some revenue from it. Ms. Kelly stated that it is an LLC, and there will be rental income coming in, and each one will have to sign a lease. She said that most of them would pay based on an RSS or VA allowance.

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

Vice-Mayor Fluharty concluded the business portion of the meeting and asked if anyone in the audience had any comments.

Penny Wood, 395 Columbus St., Bedford, OH inquired if the City offers help for the seniors who cannot get out and receive their vaccines or the booster shots; Mr. Montello replied to call the Recreation Department to address this. Mr. Montello stated that today the governor deployed the National Guard to County to help people get around, and one of their duties will be to help people get their shots. Mr. Montello stated that we don't have anybody on staff qualified to administer the booster. Councilwoman Mizsak noted a COVID Hotline, and if you call the Board of Health and ask someone there, they can direct you to the right person. She also stated that if you have home health care, their doctor might arrange for one of their nurses who comes out to the home. Ms. Wood said that Hospice is either maintain or decline; they do not try and help them come up. Mr. Gambosi stated there are COVID test kits at CVS. Ms. Wood said that Medicare would have someone come out and do a COVID test as if it is a Minute Clinic appointment; they will not do the COVID shots or the booster shot.

Shelia Das, 18512 Loment Blvd., Shaker Heights, stated that the Ohio Arts Council had selected a group of people for Creative Aging; it is a new effort to fund artists who work with seniors. She stated that she asked the City if they would be interested in receiving this service for arts programming to seniors, and the City agreed. She noted that the program starts in February and it will be an Indonesian Puppet Show, it will be for eight (8) weeks. She stated that eight (8) students in grades third (3rd) thru fifth (5th) register at the library, and eight (8) seniors can participate ages fifty-five (55) years and older register at the Recreation Department. She stated that it is on Thursday evenings for an hour and a half. She said they would create the puppets, design a play, and show. Councilwoman Spinks stated that Ms. Das gets these grants. They usually are taken to the City of Cleveland, and that now Bedford is going to get so many of the arts and cultural grants that generally go to other cities. She also stated that Ms. Das is great at writing grants and thanked her for bringing the program to the City of Bedford. Councilwoman Spinks noted that it is fully funded and costs the residents nothing.

Councilman Genutis stated that Ms. Das is a wonderful person to work with and a real cultural treasure for the Cleveland Area.

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

Meeting adjourned at 8:37 P.M.


Clerk of Council


Mayor-President of Council

Date: January 18, 2022