

Bedford City Council met in a Work Session at Bedford City Hall on Monday, February 7, 2022, at 6:00 p.m.

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

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

Council had no changes to the minutes of the Work Session of January 18, 2022, Regular Meeting of January 18, 2022.

Ordinance No. 9936-22: declare 312 Marion Dr. a nuisance and therefore condemning, City Manager Mallis stated that to table it because they are showing good faith.

Ordinance No. 9937-22: CRA agreement with Bartlett, LLC, City Manager Mallis stated that this is for the Jay Auto Group and that they do not intend to sell the dealership on Broadway Ave. and that they are looking to open in 2023.

Ordinance No. 9938-22: amend Ordinance No. 9754-20 Pay Ordinance, City Manager Mallis stated that they made some recommendations from the survey that was done about six months ago. He stated that the last time this ordinance was updated was in 2000.

Ordinance No. 9939-22: enter into Phase II Stormwater Services Agreement, City Manager Mallis stated that this is an annual agreement with the Board of Health and that this is a requirement.

Ordinance No. 9940-22: grant an easement for Storm Water Management, City Manager Mallis stated that this easement authorizes the City Manager to enter into and easement agreement with the resident (homeowner) and that when both parties are ready to sign and submit it to the county.

Ordinance No. 9950-22: contract w/City of Solon, City Manager Mallis stated that the City's jail is a 12-day jail and that the problem that they are having with it is staffing. He stated that the State requires 2 full-time and 5 part-time jailers and we are at 2 full-time and 3 part-time jailers. He stated that Lt. Kellerman went back as far back as 2019 with the numbers and in looking at the proposal with Solon it made sense. He stated that the City would save on average \$85,000.00 annually. He also stated that they can go back if something were to change. Lieutenant Kellerman stated that when there is a prisoner in a cell there needs to be an officer there. He stated that Solon is guaranteeing beds over at the jail. City Manager Mallis stated that it is very difficult to staff officers and that when there is a call off they have to pull a patrolman off the street. Councilman Saunders inquired about the agreements with the other cities and City Manager Mallis replied that they are okay with ending the agreement.

Ordinance No. 9941-22: contract with Valley Ford for 2022 Ford Explorer/Service Department, City Manager Mallis stated that this is replacing and Explorer in the Service Department and that vehicle will go to the Police Department to replace an old Buick.

Ordinance No. 9942-22: contract with Rush Truck Centers for a cab and chassis, City Manager Mallis stated that all of these vehicles are State Bid.

Ordinance No. 9943-22: contract with Valley Ford for 2022 F450 Dump Truck, City Manager Mallis stated that this is replacing a 2002 truck.

Ordinance No. 9944-22: contract with Jay Auto Group for 2022 GMC 4X4 Pickup Truck and Ordinance No. 9945-22: contract with Jay Auto Group for 2022 GMC 2WD Pickup Truck, City Manager Mallis stated that Ordinance No. 9944-22 is replacing a 2005 vehicle and that they will be sticking with a white vehicle.

Ordinance No. 9946-22: contract with Montrose Ford for two Ford Explorers, City Manager Mallis stated that this is a State Bid for two new cruisers and that they were budgeted for.

Ordinance No. 9947-22: contract with Hall Public Safety to outfit the two (2) new police vehicles, City Manager Mallis stated this is to outfit the two new cruisers and that Hall will come to the City and outfit the vehicles.

Ordinance No. 9948-22: contract with KTS Equipment for a Stump Grinder, City Manager Mallis stated the new stump grinder is a substantial upgrade from the one that they have now and that the new one can grind a stump in an hour's time and this is budgeted for.

Ordinance No. 9949-22: adopting the January 2022 replacement pages of the Codified Ordinances, Mrs. Simons stated that this is just updating the Codified Ordinance books with the replacement pages.

Ordinance No. 9951-22: to allow Virtual Meetings, Mr. Montello stated that currently there is a bill being discussed with the state legislature and it is a very hot topic. Mayor Koci stated that it would only be needed when things happen and someone can't make it to the meeting in person that they would still be able to attend it virtually. He also stated that this would give the City the ability to allow it. Councilman Genutis stated that there is some type of provision on it and that during the lockdown a lot of terrible things happened.

Ordinance No. 9952-22: contract w/Stryker EMS, City Manager Mallis stated that this is equipment for a monitor/defibrillator machine and that it was budgeted for.

Motion to approve the Planning Commission's decision to approve Mr. Kelly Rice, 677 Broadway Ave. Bedford, OH 44146 owner-operator of Lyrix Barber Salon to expand the services that his shop provides by adding a nail technician. City Manager Mallis stated that the Planning Commission had three similar items on their agenda on January 19th and that this item was approved to add one more ancillary use. He stated that with the other two items the

Planning Commission felt it was an oversaturation in a small area. He also stated that there are already six or seven salons in the area.

Motion to approve the Planning Commission's denial of Jasmine Sharp, 688 Broadway Ave. Suite #6 Bedford, OH 44146 application for a conditional use approval to open/operate a braiding & manicure salon for the reasons that an oversaturation of similar businesses exist in the district, it would be detrimental to competing businesses and would preclude other necessary services for the public. The salon would be dedicated to nail artistry, hair braiding, and other miscellaneous beauty services. Hours of operation would be from 9:00 AM to 7:00 PM unless otherwise scheduled for later.

Motion to approve the Planning Commission's denial of Valentine Vogna & Idrissa Aidara, 5896 Dunham Rd. Maple Heights, OH 44137, the application for a conditional use approval to open/operate a beauty salon for the reasons that an oversaturation of similar businesses exist in the district, it would be detrimental to competing businesses and would preclude other necessary services for the public. The salon would sell hair, wigs, and offer hair services. Hours of operation would be from 9:00 AM to 10:00 PM (7) seven days a week.

Discussion of the Regular Meeting agenda was concluded.

Mayor Koci began the discussion of the Historical Preservation Board, Mayor Koci stated that all of the terms are expired and that there were no guidelines to operate. City Manager Mallis stated that they should amend the ordinance where the Historical Preservation Board goes to the Planning Commission. He also stated that this is a Charter change.

Discussion of the Historical Preservation Board was concluded.

Mayor Koci began the discussion of the Charter Review Commission, Mayor Koci stated that there are eleven people on the Commission and for each Council Member to have a name picked by the next Council Meeting. He also stated that the Charter Review Commission set their own meetings and that they make recommendations, then it goes to Council. He also stated that Council does not have any input.

Discussion of the Charter Review Commission was concluded.

Mayor Koci began the discussion of the Equalization of Wards, Mr. Montello stated that the company (Triad) would do it for \$6,000.00. Councilman Saunders stated that this has to be done a certain amount of time after a Presidential Election.

Discussion of the Equalization of Wards was concluded.

Motion made by Genutis and seconded by Saunders to go into an Executive Session to discuss Economic Development: Automile and TCCP update and Personnel: Vacant Positions. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Adjourned into Executive Session at 7:07 p.m.

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

Adjourned out of Executive Session at 7:57 p.m.

Work Session adjourned at 7:58 p.m.

1st Rdg. 2/22/22


Clerk of Council


Mayor-President of Council

Date: March 7, 2022

Bedford City Council met in Regular Session at Bedford City Hall on Monday, February 7, 2022. 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, Asbury, and Saunders. Absent: Mizesak.

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

Motion made by Genutis and seconded by Spinks to approve the minutes of the Work Session Meeting of January 18, 2022. The roll was called. Vote – Yeas: Koci, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Abstain: Spinks. Motion carried Five Yeas and One Abstain.

Motion made by Asbury and seconded by Saunders to approve the minutes of the Regular Meeting of January 18, 2022. The roll was called. Vote – Yeas: Genutis, Fluharty, Asbury, and Saunders. Nays: None. Abstain: Spinks. Motion carried Five Yeas and One Abstain.

ORDINANCE NO 9936-22: AN ORDINANCE DECLARING THE PROPERTY AND STRUCTURE LOCATED AT 312 MARION DR. (P.P.N. 811-38-023) A NUISANCE AND THEREFORE CONDEMNING THE PROPERTY ORDERING ACTION AND DECLARING AN EMERGENCY was read by title only. Motion made by Spinks and seconded by Fluharty to Table Ordinance No. 9936-22. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Motion carried unanimously.

City Manager Mallis stated a home explosion at 312 Marion Dr., and in good faith, the owner has been working with the Building Department. He said that there had been contractors at the house working to address the exterior & with those intents, we would like to table this for a few more weeks to make sure it continues to move in the right direction. Councilman Saunders inquired about the windows being boarded up, and City Manager Mallis replied that it was boarded up because there was a fire.

ORDINANCE NO 9937-22: AN ORDINANCE APPROVING A COMMUNITY REINVESTMENT AREA AGREEMENT BETWEEN THE CITY OF BEDFORD AND BARTLETT, LLC., AND AUTHORIZING EXECUTION OF THAT AGREEMENT 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 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, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Asbury to place Ordinance No 9937-22 on third and final reading and passed.

City Manager Mallis stated that this is a tax abatement under Bartlett, LLC, but in essence, it is Jay Honda Automotive Group. He said that Jay Honda purchased all of the property at Bartlett Rd. and Rockside Rd. The intent is to relocate the used car operations to the former Pat Catan's, and a new dealership will be built at the site of Bartlett Rd. and Rockside Rd. He continued to state that the new dealership will be substantially more extensive than the current facility; they intend to obtain all of the employees that are currently there. In addition, they will be adding a minimum of forty (40) new jobs to that site. He stated that they hope to have it open sometime in 2023.

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

ORDINANCE NO 9938-22: AN ORDINANCE AMENDING ORDINANCE NO. 9754-20 ESTABLISHING PAY RANGES AS SUBSEQUENTLY AMENDED AND DECLARING AN EMERGENCY was read by title only. Motion made by Saunders and seconded by Asbury to suspend the rule requiring the reading of said ordinance on three different days. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Genutis to place Ordinance No 9938-22 on third and final reading and passed.

City Manager Mallis stated that we have an ordinance that outlines all of the class titles and levels from the Administrative standpoint, and it lays out the minimum hiring range. He stated that the last time this ordinance was analyzed was in 1999 or 2000. He said that Mr. Gambosi did a great job putting together a survey of over twenty (20) neighboring communities with their pay on specific positions, identifying those averages, and putting them in this ordinance. He stated that they looked at some of the current standings for example, for example, Fire Chief and Police Chief used to be at a level three, and based on the numbers, they were moved to a level two, no pay increases were granted, it's just cleaning up the ordinance. He stated that there are a couple of positions that the City will be filling. We are currently advertising for an Assistant Finance Director. City Council has chosen a new Finance Director, which is entailed in this ordinance.

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

ORDINANCE NO 9939-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A PHASE II STORMWATER SERVICES AGREEMENT WITH THE CUYAHOGA BOARD OF HEALTH FOR THE AUTHORITY AND CONSENT TO PROVIDE PHASE II STORMWATER SERVICES IN YEARS 2022-2023 AND DECLARING AN EMERGENCY was read by title only. Motion made by Saunders and seconded by Asbury to suspend the rule requiring the reading of said ordinance on three different days. The roll was

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

Motion made by Fluharty and seconded by Spinks to place Ordinance No 9939-22 on third and final reading and passed.

City Manager Mallis stated that this is an agreement with the Board of Health. He noted that the Board of Health helps the City with all kinds of public notification and educational materials related to our stormwater permit. He stated that this is required for that permit through the Ohio EPA, and if we did not enter into this agreement, the City would have to be doing all of it and that this agreement allows them to conduct those activities for the City.

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

ORDINANCE NO 9940-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO NEGOTIATE A GRANT OF EASEMENT FOR STORM SEWER MANAGEMENT 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, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Asbury and seconded by Saunders to place Ordinance No 9940-22 on third and final reading and passed.

City Manager Mallis stated that this ordinance grants the City of Bedford's City Manager authority to enter this easement agreement with the property owner. He noted that a storm sewer runs through the property, and the City has had to make numerous repairs to it and finished it last year. He stated that the ordinance and the agreement outline the specifics of the easement. He noted that this authorizes him to enter into and sign the document with the property owner when both parties are satisfied and that it will be filed with Cuyahoga County.

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

ORDINANCE NO 9941-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VALLEY FORD TO PURCHASE A 2022 FORD EXPLORER AND DECLARING AN EMERGENCY was read by title only. Motion made by Fluharty and seconded by Genutis to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Asbury and seconded by Saunders to place Ordinance No 9941-22 on third and final reading and passed.

City Manager Mallis stated that it is for a 2022 Ford Explorer, replacing another Ford Explorer. He continued to say that the vehicle it will be replacing will be moving over to the Police Department. He stated that this is ultimately replacing an old Buick, it has 184,000 miles and needs substantial repairs, and it is not worth making those repairs.

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

ORDINANCE NO 9942-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH RUSH TRUCK CENTERS FOR THE PURCHASE OF ONE (1) 2023 INTERNATIONAL TRUCK HV507 SFA 4X2 (HV507) CAB AND CHASSIS TO BE EQUIPPED WITH SALT SPREADER AND PLOW HITCH, ODOT INVITATION NUMBER 023-22 AND DECLARING AN EMERGENCY was read by title only. Motion made by Fluharty and seconded by Genutis to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Asbury to place Ordinance No 9942-22 on third and final reading and passed.

City Manager Mallis stated that all of these vehicles we are purchasing have been budgeted, where the Department Heads and Council approved last fall. He noted that this specific ordinance is a State Bid for a new salt truck. He stated the new salt truck would be replacing a 2000 salt truck. He said that our mechanics do a great job at extending the life of these vehicles as the years go by. Mr. Montello stated that this is to lock into the low pricing before the prices go up shortly, and we are trying to save the community money.

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

ORDINANCE NO 9943-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VALLEY FORD TO PURCHASE A 2022 FORD F-450 4 X 4 DUMP TRUCK WITH PLOW AND DECLARING AN EMERGENCY was read by title only. Motion made by Saunders and seconded by Asbury to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Fluharty and seconded by Spinks to place Ordinance No 9943-22 on third and final reading and passed.

City Manager Mallis stated that this dump truck is a State Bid, and it is replacing a 2002 dump truck.

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

ORDINANCE NO 9944-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JAY AUTO GROUP FOR THE PURCHASE OF ONE (1) 2022 GMC SIERRA 2500HD (TK20903) ¾ TON 4X4 PICKUP TRUCK REGULAR CAB 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, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Asbury and seconded by Saunders to place Ordinance No 9944-22 on third and final reading and passed.

City Manager Mallis stated the 4X4 pickup truck would be replacing a 2002 pickup truck. He said that they did receive a second quote from Valley Ford, and they were significantly higher than Jay Auto Group, and we recommend going with Jay Auto Group.

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

ORDINANCE NO 9945-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JAY AUTO GROUP FOR THE PURCHASE OF ONE (1) 2022 GMC SIERRA 2500HD (TC20903) ¾ TON 2WD PICKUP TRUCK REGULAR CAB AND DECLARING AN EMERGENCY was read by title only. Motion made by Fluharty and seconded by Genutis to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Asbury and seconded by Saunders to place Ordinance No 9945-22 on third and final reading and passed.

City Manager Mallis stated that this is for a two-wheel-drive pickup truck and received two quotes. He said that one quote was from Jay Auto and the second one from Valley Ford. He stated that Jay Auto was the lowest of the two, and it will be replacing a 2005 pickup truck.

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

ORDINANCE NO 9946-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MONTROSE FORD (MONTROSE) TO PURCHASE TWO (2) 2022 FORD EXPLORERS AND DECLARING AN EMERGENCY was read by title only. Motion made by Saunders and seconded by Asbury to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Fluharty to place Ordinance No 9946-22 on third and final reading and passed.

City Manager Mallis stated that these two vehicles are part of the State Coop Purchasing Agreement through Montrose, and they are for two new police cruisers.

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

ORDINANCE NO 9947-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HALL PUBLIC SAFETY (“HALL”) TO OUTFIT THE TWO (2) 2022 FORD EXPLORERS AND DECLARING AN EMERGENCY was read by title only. Motion made by Saunders and seconded by Asbury to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Fluharty to place Ordinance No 9947-22 on third and final reading and passed.

City Manager Mallis stated that this is a contract to outfit the two new cruisers. He said that Hall had done a great job over the years, and they come on-site and utilize the bays at the Fire Department. He stated that they turn them around very quickly and the vehicles on the road as soon as possible.

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

ORDINANCE NO 9948-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH KTS EQUIPMENT, INC., FOR THE PURCHASE OF ONE (1) MODEL 3100 TOWABLE STUMP GRINDER, FROM KTS EQUIPMENT AND DECLARING AN EMERGENCY 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, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Asbury to place Ordinance No 9948-22 on third and final reading and passed.

City Manager Mallis stated that this is for a new stump grinder for the Service Department. He noted that the current stump grinder is a 1994 and that we’ve had issues with it, and once it’s back up and running, it goes back down again. He stated that the old stump grinder, especially with the giant stumps, our current equipment for the large trees takes about three hours to grind it down. He stated that the new stump grinder is substantially larger and will get the more giant stumps done in about an hour.

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

ORDINANCE NO 9949-22: AN ORDINANCE PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE CODIFIED ORDINANCES OF BEDFORD TO APPROVE, ADOPT AND ENACT THE JANUARY 2022 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 Asbury and seconded by Saunders to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Genutis to place Ordinance No 9949-22 on third and final reading and passed.

Mr. Montello stated that there had been some changes in the Ohio Law, and we updated our code to comply with the recent changes in the law with the State of Ohio.

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

City Manager Michael Mallis stated that the City was recently awarded a grant through NOPEC for \$33,000.00. He said that Mrs. Kuzma handles a lot of that and will be meeting to discuss uses for the grant. He noted that the commission has to go towards energy efficiency projects or similar uses. He stated that the Winter/Spring Program Guide through the Parks and Recreation Department is out now; they are planning many different activities. He noted that the program guide has information on the use of the facility and job opportunities; if you didn't get it in the mail, let the City know. He also stated that the Cuyahoga County Planning Commission recently released the Tree Grant, and a few years ago, the City did apply for the grant. We planted 100 trees throughout the community. He continued to state that the City does intend to use it again and go for the max again. He noted that some staff meets with a consortium that the City works with regarding the refuse collection contract, and that contract will be coming up later this year. We will be putting together the bid documents and bid information that will be going out and then bring a recommendation to all of the communities and Bedford City Council with the hopes of awarding that contract in April. He also stated that he received some information from ODOT for upcoming projects such as Broadway Ave. Project, but there are also some other projects that the City is glad to see on their radar, and they are: Northfield Rd. Bridge and the early estimates in awarding that contract are early 2023. He stated that the other project is the Union St. bridge and the early estimates are around \$3.6 Mill or more it will also be done next year, and it will be a substantial project, and Broadway Ave. will be taking place later this year. He stated that they plan to bid the City's portion for Broadway Ave. Soon, some substantial sewer repairs have to be made, and they will add those repairs into the bid. He stated that the City's Engineer is finalizing it, and once it's finalized, that project will be going out for bid. He said that there is one other project he is waiting on for a response for the resurfacing of Northfield Rd. they identified the bridge, but the City would like to see their plan for Northfield Rd. He complimented the Service Department for their hard work during the snowstorm last week. He stated that the City does put information out regarding the parking ban; it is out for everybody's safety.

That concluded the City Manager's report.

Law Director John Montello had no report this evening.

That concluded the Law Director's report.

Finance Director Frank Gambosi stated that there was quite a bit of purchasing this year. It's done because City Manager Mallis, Mrs. Howland, and I worked with the budgets early this year to have Council pass it because it's passed early that is the advantage of having it done early before the year starts and go right into those purchases. He stated that the auditors are in, and they are beginning to work on some items that we are finishing up for our year-end reports. He also noted that the tax system had some maintenance today to bring it up to date.

That concluded the Finance Director's report.

Councilman Genutis stated that there is a lot of construction going on over the next couple of years. He said that he hopes to have Solon Rd. done because it is the next worst road in the city. He noted that Ordinance No. 9951-22 is coming up to allow virtual meetings, and he will vote against it. He said that as the way it's written presently, he believes in getting back to fully meeting in-person not only as it improves the communication both verbally and non-verbally but in recognition of the great harm to society caused by the last years of lockdowns and isolation. He stated that as municipal leaders, we need to also respond to society at large in not only our personal conveniences. He noted that this ordinance will be placed on First Reading and that there will be more discussions on it going forward, and he wanted to explain part of his vote going forward.

Councilman Fluharty thanked the Service Department and Police Department for all of their work that has been done in the last couple of weeks with all of the snow. He inquired if there was any way to get the bridge on Northfield Rd. shoveled and City Manager Mallis replied that just before last week's snowstorm, the crew did go out and start on one side. City Manager Mallis stated that they need to close down one lane, take it off the walk and use the bucket to put it in the dump truck and ship it out; when they started, they only got a small portion, and an area of the bridge blew out the front wheel of the backhoe on Wednesday morning and the snowstorm hit Thursday. He stated that they would get out there and clear the bridge.

Councilman Asbury stated that Mrs. Hulett from the Bike Shop brought up the idea on Tuesday of last week to have a snowball fight on Friday night down at the square. The Bedford Downtown Alliance told her to run with it, put a flyer together, and post it on social media. He stated that the snowball fight made Channel 5 News at eleven o'clock. He thanked Mr. Holycross from Sirna's for telling everyone to come down for \$5.00 burgers after the event. Kay Design stayed open and had pizza and hot chocolate for everyone to warm up after the snowball fight, and Bedford Falls Café also remained open. He stated that the Service Department does a great job and makes their job easier when they don't have obstacles in their way. He also noted that the Fire Department and Police Department did a fantastic job during this past snowstorm. He stated that on Saturday, February 26th, from 10:00 a.m. to 2:00 p.m. at the Historical Society is a Celebration of Dr. Seuss. He said that Dr. Seuss's stories would be read by special guests, play

games, crafts, and cartoons for all ages; best of all, admission is free. He stated that the Bedford Downtown Alliance Chocolate Walk for 2022 will be on Saturday, May 14th, and stay tuned for more information.

Councilman Saunders gave a shout to the University Hospitals Bedford Medical Center for making sure that their sidewalks are completely cleaned off and for salting it so that it gets down to the actual pavement of the sidewalk as well. He stated that if the curb can't be seen, please don't park on the street because the City does have an ordinance that states you have to park within a foot from the curb. He stated to stay off the street until you can see the curb, and that not only is a problem for traffic on the road. He said to please be considerate and courteous of your neighbors and other residents in the city and keep your car off the street unless it's an absolute emergency. He stated that Union St. technically is not a bridge; it is an earth-infilled structure, so there are so many utilities through it. He continued to say that it is a retaining wall filled with dirt that spans the valley and that is the utilities are in there. He inquired if the City could make sure that they used a sandstone stamped concrete on the bridge to get a historical look back onto it when they replace it. He also stated that there are two giant potholes on Broadway Ave. Several people called him about the potholes, and City Manager Mallis replied that they are aware of them. He stated that former Councilman Warner Batten passed away on January 22nd. He was on Council for 28 yrs. He said that Mr. Batten did a lot for the City, such as he ran most of the festivals, ran the Chapter at Salvation Army and the Thanksgiving dinner, Lions Club; he did so much for this area, and he will be missed. He stated that Mr. Batten's dedication toward this community is second to none, and he will be missed. Mayor Koci noted that it is believed that Mr. Batten had a private burial service, but they plan on doing a memorial sometime in the future. Councilman Saunders stated that they plan on having a memorial service sometime in the spring. Mayor Koci said that the patching crew was out today filling potholes. Mayor Koci said that Union St., Broadway Ave., and William St. when Union St. was redone, they needed to redo the automatic lights there.

Councilwoman Spinks stated that the Historical Society is open again, and the times are Tuesday and Thursday, 10:00 a.m. to 4:00 p.m. She noted that the new gift shop in the museum is open Tuesday thru Saturday from 10:00 a.m. to 2:00 p.m. She said that Ms. Schroeder has done an excellent job at getting the gift shop available and that there are a lot of local artists that have stuff up there. She stated that she would be one of the readers at the Dr. Seuss Birthday Celebration. She noted that the crews did an excellent job with the snow plowing and wanted to know if the City could have a place for the kids to stand while waiting on the school bus. She stated that some residents would go out and clear their sidewalk, and the snowplow crew would come by and push over onto the sidewalk at the end of their driveway. She gave a big thank you to her neighbor Mr. Dvorak for snow blowing her driveway and doing all of the sidewalks as far as he could for everybody. She stated if we could look into at least grants or contract a business to help clear the sidewalks. She said that she noticed last week that there were trash cans out in the street and asked if we could enforce that. She stated that the mail has been coming late or not at all, and it's been happening a lot in the past couple of months, and that City Manager Mallis has reached out to the post office. City Manager Mallis stated that he did reach out to the post office both locally and downtown but not confirmed that the mail carriers in some communities are operating on a flex schedule. He stated that they could deliver when they can deliver, and he doesn't know if it is happening here, but he cannot confirm that, but it is happening in other

communities. He stated that he did call the local post office and downtown and voice the concerns about the delay. Councilwoman Spinks said she has been attending some of the fun events down at the Ellenwood Center on Wednesdays, and she encouraged everybody to do as many activities as possible. She wished everyone a Happy Valentine's Day.

That concluded Council's report.

Motion made by Asbury and seconded by Saunders to amend the plan to add under New Business letter c. Ordinance No. 9952-22. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Motion carried unanimously.

ORDINANCE NO 9950-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER AND THE CHIEF OF POLICE TO ENTER INTO AN AGREEMENT WITH THE CITY OF SOLON FOR USE OF THE SOLON CITY JAIL FACILITIES ("JAIL") 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, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Asbury to place Ordinance No 9950-22 on third and final reading and passed.

City Manager Mallis stated that this contract allows us to contract with Solon to utilize their jail facilities. He said that currently, our jail is a twelve-day jail, and to meet all of the state standards and guidelines, we regularly had two full-time jailers, and five part-time jailers are needed to operate at that level. He stated that we have always been above a lot of those standards. He continued to say that since 2019 our numbers have been down, and on average, it's around one person per 24 hrs. He stated that out of the five part-timers, we are now down to three and having a tough time staffing them; one of the full-timers recently left and is working in the Municipal Court. He stated that whenever we are down staffing, we can't just operate like usual we are forced to pull an officer from the road to use the jail, which is not sustainable. He stated that we want our staff to be out in the community. He said that we could conservatively work with the City of Solon if we shift to a six-hour facility and not fill those positions and take away some of the other liabilities and workers' compensation. We would save somewhere around \$80,000.00 annually every year. He stated that we are not closing our jail; we would still bring people in and have a full-time jailer; what it means is if we bring someone in who has to be at the facility longer, then we would then need to transport them to the Solon facility. He stated that the Solon facility is well-run, has adequate staffing, and meets all standards. He said that based on where we are today and to maintain full staffing and shift to a six-hour facility, we can still function at a high level, utilize the jail when needed, still keep the full-time staff member. Still, by transporting someone, we would save a significant amount of money. He stated that we would reduce the liability, and we would have to take officers off the road to monitor a jail when it is short-staffed.

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

ORDINANCE NO 9951-22: AN ORDINANCE AMENDING SECTION 107.01 OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD RELATING TO LOCATION AND ATTENDANCE OF MEETINGS was read by title only. Motion made by Fluharty and seconded by Spinks to place Ordinance No. 9951-22 on First Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, and Saunders. Nays: Asbury. Motion carried with Five Yeas and One Nay.

Councilman Saunders suggested to table it until it is re-written because there is so much wrong with how it is written. Instead of putting it on First Reading, he suggested that Council should Table it. Mayor Koci stated that putting it on First Reading is the same thing because it gives Council time to do that, and either way, it works about the same. He stated that if we put it on First Reading, we have a timetable, and we have to do something with it. He noted that this is a new piece of legislation, and it gives us time to talk with people and make sure that we get it right. He stated that this is to hold virtual meetings, but the state now grants everybody the right to do it; putting it on First Reading gives us time to check everything.

ORDINANCE NO 9952-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PURCHASE A LIFEPAK 15 V4 MONITOR/DEFIB FROM STRYKER EMS 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 ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Fluharty and seconded by Spinks to place Ordinance No 9952-22 on third and final reading and passed.

City Manager Mallis stated that this is for purchasing a Lifepack monitor/defibrillation machine for the Fire Department. He noted that this is provided through a sole source provider, which is budgeted for. Mayor Koci stated that these cost a lot of money because it is very sophisticated equipment that monitors a person. It is sent directly to the doctor at the hospital, and the doctor can let them know what medication to start the patient on. He stated that they would monitor someone with the monitoring part before shocking their heart.

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

Motion made by Asbury and seconded by Saunders to approve the Planning Commission's decision to approve Mr. Kelly Rice, 677 Broadway Ave. Bedford, OH 44146 owner-operator of Lyrix Barber Salon to expand his shop's services by adding a nail technician.

Councilman Saunders asked if Mr. Rice would meet the state specs for ventilation, and Mr. Rice stated that he would, and he is working with the Building Commissioner to see what ventilation the state requires.

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

Motion made by Spinks and seconded by Fluharty to approve the Planning Commission's decision denial of Jasmine Sharp, 688 Broadway Ave. Suite #6 Bedford, OH 44146 application for a conditional use approval to open/operate a braiding & manicure salon for oversaturation of similar businesses exist in the district, would be detrimental to competing businesses, and would preclude other necessary services for the public. The salon will be dedicated to nail artistry, hair braiding, and other miscellaneous beauty services. Hours of operation would be from 9:00 AM to 7:00 PM unless otherwise scheduled for later.

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

Motion made by Spinks and seconded by Fluharty to approve the Planning Commission's decision denial of Valentine Vogna & Idrissa Aidara, 5896 Dunham Rd. Maple Heights, OH 44137, the application a conditional use approval to open/operate a beauty salon for oversaturation of similar businesses exist in the district, would be detrimental to competing businesses and would preclude other necessary services for the public. The salon will sell hair, wigs, and offer hair services. Hours of operation would be from 9:00 AM to 10:00 PM (7) seven days a week.

The roll was called. Vote – Yeas: Koci, Spinks, Fluharty, and Saunders. Nays: Genutis and Asbury. Motion carried Four Yeas and Two Nays.

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

Bill Lastilac, 685 Archer Rd., Bedford, OH, stated that Mr. Batten had done more for the City and the residents than any individual in the City. He continued to say that Mr. Batten formed a Community Council, which had a lot of fundraisers for scholarships, updating the electricity in the square, and putting the brick ramp up between South Park St. and the Historical Society. He stated that Mr. Batten helped the City pay for the fireworks when they had them on the 4th of July. He said that it would be remissive if the City didn't do something to honor him. Mayor Koci stated that they would put the word out when they found out about the memorial service.

Jeff Duber, 134 Harriman St., Bedford, OH, stated that he had a request for Council; he strongly dislikes fireworks. He noted that the state recently passed a new fireworks law, House Bill 172, that the governor signed. He said that it lessens the restrictions on fireworks, there is a strong fireworks lobby in the state to try a reduce the fireworks codes in the state, and they've done it. He stated that one of the things that the legislature did with this bill is that they allowed Municipalities to restrict the use of fireworks, both of the discharge and sales of them in the state. He continued to state that one reason he dislikes fireworks is that early in his career, he got a call to transport a gentleman who had an accident with a mortar going off, which they took to the hospital who died. He stated that experiences like that stay with them for a long time. He said that fireworks are dangerous and that the Council recently passed legislation to house

veterans, and one thing that veterans are familiar with is PTSD. He continued to state that some communities have started allowing the restriction of House Bill 172. He noted that his request would be to have Council pass an ordinance and ensure law enforcement. He said that the City has restrictions but that they are rarely enforced things and that there needs to be a commitment from the enforcing authority and enforce a rule. He stated that some communities are looking at banning the use and sale of fireworks, which they are allowed to do under this ordinance. He said that it is importantly needed for the well-being of the citizens of our City, and he requests that Council look into passing and enforcing an ordinance dealing with House Bill 172. Mayor Koci stated that he would be bringing this topic up at the next Mayor's and Manager's Meeting to get a consensus from them that if they all agree on these things, it will put a lot more teeth into it.

Three members from the audience stated that years ago, the City had a little bombardier that plowed the sidewalks, and they wanted to know why it is no longer around. Mayor Koci noted that it hadn't been around in over forty years. They continued to say that the City quit doing it because people complained that it messed up their yard. Mayor Koci stated that snow shovels hit the gentleman that drove those many times, and it wasn't a pleasant piece of equipment to go; they did tear up yards, and people would complain. One lady stated that many older people couldn't be out there trying to shovel their yard. One lady said that the City should be doing this as a service. City Manager Mallis noted that he doesn't want to promise anything as far as a service, but when they used to have the staffing to do, they would use them. It led to utilizing the bombardier, and the number of complaints regarding the damaged lawns was significant. He continued to state that there were staff members dedicated in the springtime to repairing and planting grass; it got to a point where those individuals could be utilized for working on other things throughout the City. One lady stated that her sister-in-law lived in Twinsburg and the City would plow her driveway and asked why Bedford can't do it for those who can't get out and do it, and the City Manager Mallis replied that it's a program that the City never really got into. Mr. Gambosi stated that it's not necessarily the cost but doing it all at one time may get plowed at 8:00 a.m or noon if someone has to get out for an appointment, and coordinating all of it with contracts is not easy. He stated that Macedonia used to have a program like that, and they heard complaints from people that it wasn't fast enough. He also said that people would have issues with the snowplowing and better not to do because of the complaint; the people had a great thing a ruined it. Mayor Koci stated that all the cities that do the plowing of residents' driveways have said do not stat it because it is such a headache, and the City also has a staffing problem with not enough extra people to do it. Mr. Gambosi stated that the City used to plow the aprons many years ago, but it was limited, and the City would plow it later in the day, and they complained that it wasn't fast enough. City Manager Mallis stated that Mr. Gambosi made a good point based on our staffing, even if we hired part-time staff. We rolled out a program like that; there would be hundreds of properties, realistically those couple of staff members that we would have to hire to do it, it would be a couple of days by the time they hit every apron. One lady said that people need to know that if they had a doctors appointment, then change it, and we will put you on the list when we get to you.

Denise Zingale, Tudor Ave., Bedford, OH state that if you have a cellphone, there is an app called Greenpal, and it works like Uber or Lyft. She also stated that there was a community service program for youth offenders; it was visited and reminded to some people at the last

quarter of Ward Meeting for 1 & 4. It was Tabled because of COVID and questioned why can't be brought back in, just a thought that the Chief passed. She stated that if they are offenders, the City has a lot of streets that need to be cleared and wouldn't have to worry about COVID restrictions on something like that. She inquired if we were taking officers off the road and out of our City to transport and City Manager Mallis replied that on some occasions, we would have to transport them to Solon, and some we would use the part-time jailers for the transport they go, drop, and leave. She stated that we were down a car for thirty minutes, and City Manager Mallis replied that it is nowhere compared to taking an officer off the road to sit back in the jail and monitor them in prison. He continued to state that the prisoner has to have access to buzz out and call someone if they need something; that officer has to be in the jail. He noted that the City could use it if they are down calls or no calls. They can transport someone in thirty minutes. Ms. Zingale inquired as to how much is the City paying Solon, and City Manager Mallis replied that it is for \$70,200.00 and if we come in under our number, we would get reimbursed, and if we came in over our number, the maximum would be about \$80,000.00. City Manager Mallis stated that based on paying the \$80,000.00 and what we would be saving and spending, we would still be ahead conservatively about \$85,000.00, but honestly, it may be more than that. He stated that the City had had worker comp situations over the years where jailers have been injured. Ms. Zingale wanted to know what is going on with the dealerships and that one has actually cleared part of their sidewalk City Manager Mallis replied that the Building Department was out last week and he sent the dealerships sent them an email earlier today regarding the sidewalks. City Manager Mallis stated that the Building Department was out all of last week talking to all of the businesses and there are some who still have not complied and we are trying to address them. Ms. Zingale inquired as to why is the City even considering virtual meetings again and Mayor Koci replied that with the situation from the last meeting we couldn't pass any of the legislation due to not having a quorum if someone can't make it to a meeting they could still attend the meeting through a Zoom call. Mayor Koci also stated that they tabled it because they have to look into the exact things as to what they can't do. Mr. Montello stated that it is requiring the City to hold a meeting at City Hall unless there are unusual circumstances. Mayor Koci stated that we could pass it but if the state doesn't allow it then we can't do it. Ms. Zingale read the following:

Regarding the virtual meetings

The mere act of putting this kind of self-serving ordinance on the agenda shows a complete self unawareness of how the Council and Government are perceived by the general public by those that would attempt to pass it. Without having read the proposal I would withhold specific comments about the effort and reasons. In a time when governments around the world are listening to science and relaxing measures that have seriously destroyed economies, businesses, and personal freedoms around the world caused ineffective lockdowns, the mask-wearing a badge of compliance. Here comes some outrageous suggestion too late at without merit. Considering the first obligation of Council is to represent their constituents and have open meetings twice monthly, where the public can face their elected official in person and express their views. Most of the attendees of those meetings would be hard-pressed to communicate virtually. Secondly, Council must not be hampered by any member physically or mentally unable to perform their elected function for an extended period of time. For example, Heather Rhodes realized this and gracefully resigned with dignity for the good of the effort, which is an exception. It remains to be seen how the Charter might address exactly what is being proposed until it is in print. Certainly cut the Council would be so foolish as to pass 9951-22, obviously

on First Reading, without extensive public discussion. That discussion would include: what is the attendance record of each Councilperson for the last five years, how absolutely essential are they to the functioning of the City, what is the effect of their own convenience quarantine on their communication with the residents, how does the Charter address this type of derelict of duty, who innicaited the ordinance? There has been ongoing conversation regarding the pay compensation of the taxpayers are shelling out, what they are actually getting in the way of value-added to the operation of Bedford from these members, and in these difficult economic times should the number of Council people be reduced? When the comparisons were made to other cities looking in at what expense per Council Member is a stark disparity exists when comparing Bedford. Ongoing discussions regarding the equalization of Wards addresses non-compliance with the requirement to do so every ten years for the purpose of balancing the voting poll books. When was the last time it was done? In the shrinking population of Bedford, those discussions should include reducing the size of Council to four members with one At-Large. Considering the comparisons of residents per Council Member a close look would also reveal a stark disparity with Bedford having far fewer being represented. Therefore perhaps it is appropriate at this time to have the team of residents looking into these numbers may make cost-saving recommendations to Council, which should act in harmony with the will of the people. It is time to possibly circulate petitions for placement on the November ballot. The questions articulated here should be put to the voters of Bedford as allowed by the Charter.

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

Meeting adjourned at 9:48 P.M.

1st Rdg. 2/22/22


 Clerk of Council


 Mayor-President of Council

Date: March 7, 2022