

Bedford City Council met in a Work Session at Bedford City Hall on Monday, November 15, 2021, at 5:30 p.m.

Present: Council Members: Mayor Stan Koci, Sandy Spinks, Walter Genutis, Victor Fluharty, Paula Mizesak, and Donald Saunders. Absent: Jeff Asbury. 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.

Council

All Members of Council were present this evening representing the City Council for their 2022 budget.

City Manager Mallis stated that the Administration and Council have a good working relationship.

Mayor Koci stated that he and Council like how the city runs.

At this time, they started going over the line items. (See attached for line items)

Law Department

Law Director John Montello was present this evening representing the Law Department for their 2022 budget

Mr. Montello stated that he doesn't anticipate any significant fees this year.

At this time, they started going over the line items.

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

Council had no changes to the minutes of the Work Session of November 1, 2021, Regular Meeting of November 1, 2021.

Ordinance No. 9908-21: amend Ord. #9657-18 contract w/GPD Group for Engineering services,

Ordinance No. 9914-21: City of Bedford 2022 Appropriation Budget, Mrs. Howland stated that

Ordinance No. 9915-21: authorizing the purchase of a John Deere Bunker and Field Rake, City Manager Mallis stated that

Ordinance No. 9916-21: contract with Nerone & Sons, Inc. for staircase replacement at the Wastewater Treatment Plant; City Manager Mallis stated that the steps are in bad shape and to get them fixed before they get worse and before winter hits.

Ordinance No. 9917-21: apply for a CDBG for a new pool house at the Municipal Pool and Ordinance No. 9918-21: apply for a CDSG Fund for a new pool house at the Municipal Pool;

City Manager Mallis stated that these are for the pool house and that the grants are due within a month.

Ordinance No. 9919-21: amending Ordinance No. 9532-17 Section 1965.01, City Manager Mallis stated that he and Mr. Beverly went through the Zoning Code and want to clarify that marijuana dispensaries are not permitted in the Residential District.

Ordinance No. 9920-21: authorize mandatory pay increase for Clerk of Courts Tom Day; Mr. Gambosi stated that the State of Ohio mandates this.

Ordinance No. 9921-21: contract w/Bedford Ohio Council & Local 2007 AFL-CIO (AFSCME), City Manager Mallis stated that this mirrors what the Police Department has regarding all wage increases, healthcare changes (based on a percentage). He also noted that the salary wages are retro pay.

Discussion of the Regular Meeting agenda was concluded.

Motion made by Spinks and seconded by Genutis to go into an Executive Session to discuss Economic Development: 1405 Broadway Ave., Meadowbrook, Rockside & Bartlett property and Personnel: Union Negotiations. The roll was called. Vote – Yeas: Koci, Genutis, Fluharty, Mizesak, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Adjourned into Executive Session at 7:09 p.m.

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

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

Work Session adjourned at 8:01 p.m.


Clerk of Council


Mayor-President of Council

Date: December 6, 2021

Bedford City Council met in Regular Session at Bedford City Hall on Monday, November 15th, 2021. Mayor Koci called the meeting to order at 8:01 P.M. The meeting was opened by pledging allegiance to the flag.

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

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

Motion made by Genutis and seconded by Spinks to approve the minutes of the Budget Work Session Meeting of October 25th, 2021. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, and Saunders. Nays: None. Abstain: None. Motion carried unanimously.

Motion made by Genutis and seconded by Fluharty to approve the minutes of the Work Session Meeting of November 1st, 2021. The roll was called. Vote – Yeas: Koci, Genutis, Fluharty, Mizesak, and Saunders. Nays: None. Abstain: Spinks. Motion carried with Five Yeas and One Abstain.

Motion made by Mizesak and seconded by Saunders to approve the Regular Meeting of November 1st, 2021. The roll was called. Vote – Yeas: Koci, Genutis, Fluharty, Mizesak, and Saunders. Nays: None. Abstain: Spinks. Motion carried with Five Yeas and One Abstain.

ORDINANCE NO. 9908-21: AN ORDINANCE AMENDING ORDINANCE NO. 9657-18 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GPD GROUP FOR ENGINEERING SERVICES WITHIN THE CITY OF BEDFORD AND DECLARING AN EMERGENCY was read by title only. Motion made by Mizesak and seconded by Saunders to place Ordinance No 9908-21 on third and final reading and passed.

City Manager Mallis stated that this is for the yearly engineering contract with GPD Group. The change from the past contract is the hourly rate adjustments and raises for various disciplines as presented to Council. He stated that the average increase for the salary increases is 1.1%.

Mayor Koci stated that there is no suspension for this ordinance because there isn't a quorum to pass it, and if it passes, it will be thirty (30) days before it goes into effect.

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

ORDINANCE NO 9914-21: BEING AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2022 AND DECLARING AN EMERGENCY was read by title only. Motion made by Fluharty and seconded by Genutis to place Ordinance No. 9914-21 on Second

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

ORDINANCE NO 9915-21: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PURCHASE A JOHN DEERE 1200A BUNKER AND FIELD RAKE (JOHN DEERE) FOR THE PARKS AND RECREATION DEPARTMENT AND DECLARING AN EMERGENCY was read by title only. Motion made by Saunders and seconded by Mizesak to place Ordinance No. 9915-21 on Second Reading. The roll was called. Vote – Yeas: Koci, Spinks, Fluharty, Mizesak, and Saunders. Nays: Genutis. Motion carried with Five Yeas and One Nay.

Mayor Koci thanked everyone for his re-election as Mayor and for the re-election for Wards 1, 3, and 5. He stated that everyone worked well together and was glad to see that they would be together for four years. He said that he doesn't take being the Mayor lightly, and Council will work just as hard just like they did before to make sure things are going right for the City. He also stated a Blue Coat Dinner was held on Saturday, November 13th, honoring the Police Officer and Fire Fighter of the Year at the Eagles Hall. He noted that the Eagles put on a wonderful dinner for the Police and Fire Department. He pointed out that the Police Officer and Fire Fighter of the Year were by their peers, which is a great deal personally to each officer and firefighter. He congratulated Police Officer Dimatteo and Medic Rauschenbach for the election for Police Officer and Fire Fighter of the Year. He stated that on November 11th, the City held a wonderful ceremony down at Veterans Park and it was very well attended. He said that Veteran's Day is different from Memorial Day, where Memorial Day honors those who gave their lives for our freedom, Veteran's Day honors all veterans who served. He stated that the video should be up on the City's YouTube channel by tomorrow. He wished everyone a Happy Thanksgiving.

That concluded the Mayor's report.

City Manager Mallis congratulated both Police Officer Dimatteo and Medic Rauschenbach; the awards were very deserving. He acknowledged all of the Safety Forces staff for their hard work. The City is very lucky to have every one of them as part of the team and that he, the Administration, and Council appreciates them and are fortunate to have them in Bedford. He thanked the Eagles Club; they make donations every year to the Police and Fire Departments and the Food Program for those in need. He stated that the resurface course of Union St. is scheduled to take place this week, weather permitting. He noted that the Lighting Ceremony would be on the Bedford Commons on Wednesday, November 24th, at six o'clock sharp. He also stated that "Christmas in Bedford Falls" is on Saturday, December 11th and that the Parks and Recreation Department is working on some new things this year. He stated that the City's project for Broadway Ave. regarding the bids for the water project, curb repairs, and electrical upgrades, it goes hand-in-hand with ODOT's plans to resurface Broadway Ave. He stated that they are waiting to hear back from ODOT about the resurfacing phase of the project. He continued to say that ODOT is supposed to start the resurfacing phase next summer; now, they are discussing the possibility of starting it at the beginning of 2023. He stated that if they do that, the City will still bid on the project now, and we may wait to start in the Spring. He also said that they are waiting on a response to lower the percentage for the project, based on the improvements that the City has made over the years.

That concluded the City Managers report.

Law Director John Montello congratulated Officers of the Year and the Elected Officials.

That concluded the Law Director's report.

Finance Director Frank Gambosi congratulated the Officers of the Year, the Eagles and wished everyone a Happy Thanksgiving. He stated that he would be retiring next year, and at that point, they will have to be looking for replacements and advertising about it in the future.

That concluded the Finance Director's report.

Councilman Saunders stated that when ranking leaves to make sure that they are kept on the tree lawn and be cognizant when parking on the streets during leaf pick up and snow plowing time. He stated that the City's dispatch center had been featured on a cable show to check it out to see how they operate and handle things. He wished everyone a Happy Thanksgiving.

Councilwoman Spinks stated that there was a water main broke over on Cresswell Ave. and wanted to know if there were plans to redo it since there have been so many water main breaks and City Manager Mallis replied that they just started gathering all of the information and won't have it until later on in the week. Councilwoman Spinks stated that Ms. Schroeder is doing an excellent job redoing the Bedford Historical Society's Museum Store. The store will be open on November 24th from 5:00 P.M. to 8:00 P.M., Saturday, November 27th from 10:00 A.M. to 4:00 P.M., and Christmas in Bedford Falls from 12:00 P.M. to 3:00 P.M. She also stated that the Dunham House would be a traditional Victorian Christmas. She said that the Grove is a company that uses all recyclable products, and its goal is to make the world plastic-free by 2025. She wished everyone a Happy Thanksgiving.

Councilman Genutis stated that discovering ways to overcome things like plastic and biodegradable bags is a fantastic idea. He congratulated the Officers of the Year and the Elected Officials. He expressed his gratitude to the Service Department for picking up all of the leaves in the City and for all of their decorating in lighting the square.

Councilman Fluharty stated that he is glad the Union St. is just about finalized. He also congratulated the Elected Officials and the Officers of the Year. He wished everyone a Happy Thanksgiving.

Councilwoman Mizsak congratulated the Mayor and the other Elected Officials on their win. She also congratulated the officer of the year. She stated that she and her husband celebrated their 56th Wedding Anniversary this past Saturday, November 13th. She said that if she had had to do governmental studying in school, it would have been boring, but the hands-on training is the most beautiful thing. She that there was a lovely crowd at the Veterans Day Ceremony. She stated that the people before us started this County, and it is up to us to operate it in the right direction and keep our chin up and move forward. She stated that the Lighting Ceremony is on Wednesday, November 24th at 6:00 P.M.

That concluded Council's report.

ORDINANCE NO 9916-21: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH NERONE & SONS, INC. FOR THE REPLACEMENT OF A STAIRCASE AT THE WASTEWATER TREATMENT PLANT (WWTP) AND DECLARING AN EMERGENCY was read by title only. Motion made by Mizensak 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, Mizensak, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Fluharty to place Ordinance No 9916-21 on third and final reading and passed.

City Manager Mallis stated that the concrete staircase has completely deteriorated and has since failed, and we received two quotes, and Nerone & Sons came in with the lowest quote, and it is their recommendation to move forward with the repair as soon as possible.

Councilman Saunders inquired if the replacement would be a concrete stair or a metal stair and City Manager Mallis replied that it would be a concrete stair.

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

ORDINANCE NO 9917-21: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO APPLY FOR FISCAL YEAR 2021-2022 COMMUNITY DEVELOPMENT BLOCK GRANT FUND THROUGH THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT FOR THE CONSTRUCTION OF A NEW POOL HOUSE AT THE MUNICIPAL POOL 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, Mizensak, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Mizensak to place Ordinance No 9917-21 on third and final reading and passed.

City Manager Mallis stated that this ordinance and the next one are grants that the County makes available for communities, and the first one is for a \$150,000.00 CDBG Grant. He stated that the grant is a supplemental grant for \$50,000.00. He noted that the City intends to apply for both of these funds to utilize the money towards the construction and renovation of the pool house. He stated that the pool house needs to be addressed and that there are funds that the City has secured to go towards this project, and the City is also looking at grants to help subsidize it. He stated that they would like authorization to apply for the grants and that they will not know the results until Springtime and then move forward.

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

ORDINANCE NO 9918-21: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO APPLY FOR COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT FUND FOR THE CONSTRUCTION OF A NEW POOL HOUSE AT THE MUNICIPAL POOL 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, Mizensak, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Mizensak to place Ordinance No 9918-21 on third and final reading and passed.

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

ORDINANCE NO 9919-21: AN ORDINANCE AMENDING ORDINANCE NO. 9532-17, CONCERNING CHAPTER 1965 TITLED “MEDICAL MARIJUANA DISPENSARIES” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD, OHIO 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, Mizensak, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizensak and seconded by Saunders to place Ordinance No 9919-21 on third and final reading and passed.

City Manager Mallis stated that this is to clean up the language for the approvals of medical marijuana dispensaries and that they are not permitted in the Historic District or Residential Districts. He stated that they are a conditional use in a Business District or the Mixed-Use District. Any approved applicant through the state would have to go in front of the Planning Commission for approval then ultimately to City Council. He stated that this ordinance cleans it up to state that it is not permitted in the Residential District.

Mr. Montello stated that this is a hot issue these days, and they are going to be expanding, and the City wants to be ahead of the game and dictate where they can be.

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

ORDINANCE NO 9920-21: AN ORDINANCE AMENDING ORDINANCE NO. 9840-20, PASSED DECEMBER 21ST, 2020 PROVIDING COMPENSATION FOR THE CLERK OF COURT AND DECLARING AN EMERGENCY was read by title only. Motion made by Mizensak 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, Mizesak, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Fluharty and seconded by Spinks to place Ordinance No 9920-21 on third and final reading and passed.

Mr. Gambosi stated that the Clerk of Court is requesting from Council the authority to have a pay increase of 1.75%, and this is equal to what the other Clerks of Courts are making throughout the state, which is 85% of a judge's salary.

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

ORDINANCE NO 9921-21: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH OHIO COUNCIL 8 AND LOCAL 2007 AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, ADOPTING THE TERMS OF THE ATTACHED OCTOBER 25TH, 2021 FINAL PACKAGE PROPOSAL, ORDERING THEM INTO EFFECT, AND DECLARING AN EMERGENCY was read by title only. Motion made by Genutis 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 Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Mizesak to place Ordinance No 9921-21 on third and final reading and passed.

City Manager Mallis stated that this contract is for all bargaining unit employees for the Service Department, Water Department, Waste Water, Tax Department, and other clerical positions. He stated that it is the same financial package that was settled with FOP, which was a 2% increase for 2021, a 2 ½% increase for 2022, and a 2% increase for 2023. He also stated that the hospitalization changes include a slight increase in deductibles and the monthly premium expenses that move to 8% of Cobra rates. He noted that those also mirror the previously agreed contract with FOP.

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

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

Penny Wood, 395 Columbus St., Bedford, OH, stated to Councilwoman Mizesak to watch the taped Council Meeting from November 1st that she said her name and address, and Mayor Koci replied that they had corrected it. She also stated that the rhetorical question stated by Councilwoman Spinks regarding if Mrs. Wood lived in Ward 1 that if any attention were paid that question would not have been asked. Mrs. Wood indicated that she is a resident of the City of Bedford. She also said that on November 1st, 2021, Councilwoman Mizesak stated to ask the

question the right way and to give your name and number when asked, don't come with an attitude or your concerns will not be addressed, and Mrs. Wood stated that her address was stated twice along with her name. Councilwoman Mizsak replied that first she did not hear Mrs. Wood give her address at that time, and secondly, she didn't see why Mrs. Wood has to go over it again to re-embarrass us for something done and taken care of. She also stated that Mrs. Wood is gunning for someone here, and it is not fair and that she has a right to say that, and she follows the constitution very closely. She also stated her First Amendment Right is if she has something to say, she will say it. Mrs. Wood noted that she has the same right. She also stated that friendships are formed over time, but truth and variable facts should come first when you are in the public eye; you are uncomfortable because a friend got reprimanded by a lonely resident and didn't like it or did they check facts. She continued to state that she was not threatening and that yes, she was unprepared and didn't plan to attend that meeting due to personal reasons, but she couldn't stand by one more campaign speech on Council time and the City's media for Council Meetings. She stated that it not being stopped gave the appearance that all present at the round table were supporting and backing Councilwoman Spinks as a candidate. She also noted that the same four minutes per meeting were not afforded to the opposing candidate and that the election is over and friends with security have voted, but it's present bias and that no Facebook post since November 1st of Councilwoman Spinks pick-up trash has been posted. She also requested from Councilwoman Mizsak a copy of Robert's Rules of Federal Procedures and Oath and City, State, and Federal that they follow, and how it applies to their attempt to put her in her place without using her name. She then asked Mr. Gambosi about the four out of eight minutes spent campaigning on Council time and City Media going back to July 2021. Will Councilwoman Spinks be issued an invoice for all of this campaigning time? Mr. Gambosi replied that he did not recall that she was campaigning and would address it and refer it to the Law Director. Mrs. Wood stated that if not, when she runs for office or any other candidate runs, they should also be afforded four minutes of every Council Meeting campaigning and beating our drum without interruption or bias.

Denise Zingale, 27 Tudor Ave., Bedford, OH, thanked her team and the residents of Ward 1 for the opportunity to represent them. She stated that it was wonderful to meet so many great people and what was important to them; with that being said, she brought some of that information to the City's attention that from June 1st, 2020, to September 8th, 2021, there were 187 home sales and 35 of those sales were in Ward 1. During her campaign, she discovered that many people no longer reside in Bedford and learned many new residents renting in our community. Some residents who have lived in the community for five or more years have not had any communication from any representative of the City. She inquired as to how can the City better communicate effectively with the number of new residents moving in and what about the ones who have been here for years? She also stated that not all residents receive a water bill or have internet and that people are not on Facebook or social media anymore. She also inquired if a certificate of occupancy is required for moving into a home, and City Manager Mallis replied that they do receive information, and for occupancy, there are certain things that we follow under the State of Ohio Building Code that has been changed. Mayor Koci stated that it was by order of the court as to why it was changed. Ms. Zingale noted that after talking with people from other communities, she found out that the people in those communities were pleased with the communication that they received from the Council Members and the City. She continued to state that their communication consisted of an email blast from the City, receiving a quarterly

newsletter from their Council Member either by mail, email, or posting it on the Council's social media page and that it is targeting everyone in these communities and communicating to the diversity of how people want to receive information on what is going on. She stated that these same modalities are the same with the residents that she spoke to in Ward 1. She noted that these communication suggestions be strongly considered as the City enters 2022 if the City wants to keep transparency and the residents informed. She stated that we need to help, uplift, and revitalize our local businesses, and if you or Council have a concern with or about a business or business, talk to the owners. She also stated more is needed to positively help increase the small businesses' exposure and attract new businesses into Bedford. She said that while there is senior transportation, the Bedford bus designated for the seniors is gone, and City Manager Mallis replied that yes, it is, but the City still provides that service. Ms. Zingale stated that as a result, some of the families and the seniors now have to arrange for transportation sometimes otherwise due to the amount communities that the bus has been stopping into or the availability of the community senior bus. She also stated that many of them seem to be uninformed of who they can or should contact in the City, and few said that if they did contact someone, they were given another number and told to contact the County. She stated that it was expressed that they were never followed upon. She said that not everyone is a member of the Senior Club or receives a newsletter, and how can the City get the newsletter to all of the seniors. She inquired if the seniors received wellness calls, and City Manager Mallis replied that they stopped the wellness calls. She suggested that the City evaluate its communication practices from now on in 2022 to keep the residents informed and connected.

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

Meeting adjourned at 8:54 P.M.


Clerk of Council


Mayor-President of Council

Date: December 6th, 2021