

Bedford City Council met in a Work Session at Bedford City Hall on Monday, March 21, 2022, at 6:00 p.m.

Present: Council Members: Mayor Stan Koci, Sandy Spinks, Walter Genutis, Victor Fluharty, Jeff Asbury, and Donald Saunders. Absent: None. 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 March 7, 2022, Regular Meeting of March 7, 2022.

Ordinance No. 9936-22: declare 312 Marion Dr. a nuisance and therefore condemning, City Manager Mallis stated to vote it down.

Resolution No. 2577-22: apply for 2022 Replanting Program, City Manager Mallis stated that once passed Mrs. Kuzma will send it into the county and that the list of trees is also included.

Ordinance No. 9953-22: contract with Hach for Overflow Monitoring Equipment, City Manager Mallis stated that this is to monitor the overflows through the NFA Study. He stated that the cost will be \$49,891.36 and that the ordinance is amended to reflect the cost.

Ordinance No. 9954-22: contract with Aecom for services to Overflow Monitoring Equip., City Manager Mallis stated that Aecom will service the overflow monitoring equipment.

Ordinance No. 9955-22: levy assessments for delinquent water bills

Ordinance No. 9956-22: contract with Axon Enterprise for the purchase of Tasers for the Police Department, City Manager Mallis stated to place this on Second Reading and this is all-inclusive, they will replace everything out the door. He stated that the cost of the lease is over \$12,000.00.

Ordinance No. 9957-22: amending Ordinance No. 9914-21 making additional Appropriations, Mrs. Howland stated that this has to do with a lot of the grants received that need to be appropriated for the following:

- **General Fund:** The increases (decreases) in appropriations for 2022
  - Prisoner housing outsourcing to Solon
  - Axon Body and Car Cameras
  - Axon tasers (when approved)
  - Triad Research Group redrawing of ward boundaries
  - Building Department desktop computer from Simplex
  - Traffic signal pole damage
  - Increased cost due to upgrading of computer licensing
- **Fund 205 SEALE Fund:**
  - SEAL funds from prior year for Byrne grants
- **Fund 209 Street M & R Fund:**

- Increase vehicles and equipment for increase cost of stumper
- **Fund 210 Drug Law Enforcement Fund:**
  - Appropriate funds from 2021 for Drug awareness enforcement and Federal equitable sharing
- **Fund 213 Grants Fund:**
  - Certified Police Training (CPT) grant expenses
  - costs to date of OCDETF Grant 2019-2020
  - shop with a cop grant from 2021
  - eagles donations for police
  - eagles donations for fire
  - Ohio EMS grant
  - HHS Grant # 4 expenses due to funds received
  - donation for food pantry
  - re-appropriate for the downtown WIFI upgrades
  - re-appropriate for VAWA Grants
- **Fund 217 American Rescue Plan Fund:**
  - Appropriate funds to be received for pool house upgrades
  - road improvements
- **Fund 403 Capital Projects Fund:**
  - Broadway waterline replacement
- **Fund 500 Water Fund:**
  - Broadway waterline replacement
- **Fund 501 Waste Water Fund:**
  - Broadway waterline replacement (sewer portion)
  - purchase of monitoring equipment including installation by Hatch and Acom
  - maintenance of the same by Acom
- **Fund 805 SEALE Unforfeited Fund:**
  - 2019/2020 unforfeited funds
  - 2020/2021 unforfeited funds
  - 2021/2022 unforfeited funds

Ordinance No. 9958-22: Job Creation and Retention Program w/Penske Automotive, City Manager Mallis stated that the Penske lease is up and with the number of properties there are also a number of employees. Mr. Gambosi stated that it is a substantial number of employees and City Manager Mallis added that the idea is to offer a good gesture and that the City is thinking proactively.

Motion to approve the Planning Commission's decision to approve a partial demolition of the structure, and a complete renovation and addition to the existing convenience store/gas station located at 667 Northfield Rd., Bedford, OH. Mayor Koci stated that this is a yes you agree with the Planning Commission's decision or no you disagree with the Planning Commission's decision.

Motion to approve the Planning Commission's decision for approval to construct a new Honda dealership on the vacant land (P.P # 813-03-006 & 813-03-007) located at the corner of Rockside

and Bartlett Road. Mayor Koci stated that this is a yes you agree with the Planning Commission's decision or no you disagree with the Planning Commission's decision.

Discussion of the Regular Meeting agenda was concluded.

Mayor Koci began the discussion of the Fireworks Ordinance, City Manager Mallis stated that he thought Council may want to start discussing this, it is permitted unless otherwise. He stated to give the public an understanding and that if Council does pass it that it will be hard to catch those in action. He also stated that he wanted everyone's thoughts and feelings on it. Mayor Koci stated that there need to be restrictions on fireworks. City Manager Mallis stated that does Council want to permit it or not and to write up a draft for the next Work Session Meeting. Councilwoman Spinks suggested to have in there at the discession of the City Manager. Mayor Koci stated to have it read by the first Council Meeting in May and to take advantage of the exception of Home Rule.

Discussion of the Fireworks Ordinance was concluded.

Motion made by Spinks and seconded by Genutis to go into an Executive Session to discuss Economic Development: TCCP & 17500 Rockside Road. The roll was called. Vote – Yeas: Koci, Spinks, Fluharty, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Adjourned into Executive Session at 7:18 p.m.

Motion made by Asbury and seconded by Genutis to adjourn out of Executive Session. The roll was called. Vote – Yeas: Koci, Spinks, 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.

  
Clerk of Council

  
Vice-Mayor/President of Council

Date: April 18, 2022

Bedford City Council met in Regular Session at Bedford City Hall on Monday, March 21, 2022. 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, Asbury, and Saunders. Absent: None.

Motion made by Spinks and seconded by Genutis to place the minutes of the Work Session Meeting of March 7, 2022. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, and Asbury. Nays: None. Abstain: Saunders. Motion carried with Five Yeas and One Abstain.

Motion made by Asbury and seconded by Saunders to place the minutes of the Regular Meeting of March 7, 2022. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, and Asbury. Nays: None. Abstain: Saunders. Motion carried with Five Yeas and One Abstain.

*At this time, a Proclamation was presented to Officer Savannah Selden.*

**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 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 9936-22 on third and final reading and passed.

City Manager Mallis stated that this was a property damaged during a home explosion, and at the time, the City wasn't getting a response from the property owner. He stated that there was substantial damage and that they wanted to get something on the agenda to move forward with condemning the property. Since then, the property owner has been responsive, and most of the work has been done. He stated that the administration's recommendation is to vote this down and not condemn the property.

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

**RESOLUTION NO. 2577-22:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY AND ACCEPT A GRANT THROUGH CUYAHOGA COUNTY PURSUANT TO ITS HEALTHY URBAN TREE CANOPY GRANT PROGRAM 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 resolution 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 Resolution No 2577-22 on third and final reading and passed.

City Manager Mallis stated that this is for a grant application authorizing the administration to apply for the Tree Canopy Grant funding through the County Planning. The Service Department and Mrs. Kuzma worked to identify various areas where trees would be replanted on residential streets and replanted the trees taken down in some of the parks. He stated that they did complete the application, and we will find out in April if we are successful.

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

**ORDINANCE NO. 9953-22:** AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH HACH FOR THE PURCHASE OF OVERFLOW MONITORING EQUIPMENT 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 9953-22 on third and final reading and passed.

City Manager Mallis stated that as the City is working with the engineering company to do our NFA Study and model our sewer systems, they identified several outflows. Some are active, and some are not active. He stated that in their discussions with the Ohio EPA, the City wants to install monitoring systems at the locations to monitor them if, in fact, so do activate and how much. He stated that this ordinance is to purchase all the equipment needed for the locations. The subsequent ordinance through Aecom is a separate ordinance for the installation, monitoring, and necessary reporting for all sites. He stated that it's essential that they work to get them installed and start collecting the data because there are ongoing discussions with the Ohio EPA regarding the City's NFA Study.

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

**ORDINANCE NO. 9954-22:** AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH AECOM FOR SERVICES RELATING TO THE PURCHASE OF THE OVERFLOW MONITORING EQUIPMENT 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 9954-22 on third and final reading and passed.

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

**ORDINANCE NO. 9955-22:** AN ORDINANCE TO LEVY ASSESSMENTS FOR DELINQUENT WATER BILLS IN THE CITY OF BEDFORD, OHIO 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 Genutis to place Ordinance No 9955-22 on third and final reading and passed.

Mr. Gambosi stated that the City assesses the delinquent water bills twice a year, and they have to file them with the county.

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

**ORDINANCE NO. 9956-22:** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH AXON ENTERPRISE, INC. FOR THE PURCHASE OF TASERS FOR THE POLICE DEPARTMENT 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 Genutis and seconded by Fluharty to place Ordinance No 9956-22 on third and final reading and passed.

City Manager Mallis stated that this is for a five-year lease for \$12,000.00 per year, and it is all-inclusive, meaning all upgrades and repairs, and they provide all of the accessories. He stated that it makes sense to go in this direction to make sure that all of our officers have these pieces of equipment on them.

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

City Manager Michael Mallis stated that there will be some bid openings that will take place in the next month. He stated that one of the main projects is the Broadway Waterline Project, it has been advertised for the past couple of weeks, and the bid is opening on Friday. He continued to state that once the bids come in, they will review them and recommend them to Council by the second meeting in April. He stated that once they receive more details on the overall project, they will schedule a public meeting with the businesses and residents in that immediate area. He

noted that this is the last year for the refuse contract, and the City is part of a consortium with other communities; they worked up a bid document that the Law Director review, and then we go out and bid to secure a better price when we are working and collaborating with other communities. He stated that the goal is to start advertising in the next couple of weeks, with a bid opening by the end of April. He stated that they have been having some discussions with Dominion East Ohio for Archer Rd., it is the next thing on their list for the Main Gas line Replacement Project, and they hope to start it later this spring. He stated that some restoration work still needs to be done in the Washington St. area that will be taking place in the next couple of weeks. He stated that both the Director and Assistant Director of Parks and Recreation would be going out and doing assessments to identify various repairs or upgrades that we could potentially do. He continued to state that the same goes for the Service Department. They will be out doing a street-by-street assessment in the next couple of weeks. He noted that registration is still ongoing for the spring soccer program, baseball registration is taking place at the Parks and Recreation Department, and information is online. He stated that Shred Day would be on May 14<sup>th</sup> from 9:00 a.m. to 12:00 p.m. and again in the fall. He stated that if anyone is interested in volunteering, plenty of community organizations need help for events. If you are looking for contact information, contact City Hall. We will put you in contact with the appropriate individuals. He stated several seasonal positions that the City needs to fill, so please get in touch with the City if you are interested.

That concluded the City Manager's report.

Law Director John Montello congratulated Office Seldon.

That concluded the Law Director's report.

Finance Director Frank Gambosi congratulated Officer Seldon. He reminded everyone that if they need assistance with filing their taxes to drop their paperwork off at the mailbox located at the Tax Department window. He stated that the department would put them together and bill them, and if they have a balance due, it will be paid by the deadline.

That concluded the Finance Director's report.

Councilman Asbury stated that there were fifteen streetlights out on Broadway Ave., between West Grace St. to Rockside Rd., so he took a ride on Sunday morning and counted seventeen streetlights out. He continued to state that he documented them and forwarded them to the City Manager, and he will cross-reference them to what was turned in last fall by the Police Department and get them taken care of. He also stated that if anyone has a streetlight out of contact, your Council Representative with the six-digit number will report it to get it fixed. He inquired about the installation of public WiFi on the square, and City Manager Mallis replied that it is completed and some adjustments need to be made, and once it is done, they will put something together that it is live. Councilman Asbury inquired if there were any more conversations about extending it down Broadway Ave. City Manager Mallis replied that they haven't extended the conversations but have been talking about it. Some of it is locating grant money to cover the cost. Councilman Asbury stated that on Saturday, April 9<sup>th</sup>, at Bearcat

Stadium, there will be an Easter Egg Hunt for children 12 years old and under; they must be Bedford residents. Pre-registration is required, so contact the Parks and Recreation Department.

Councilman Saunders thanked the residents in Ward 6 and other residents throughout the City for their concern; he did have a stroke that affected his left side. He stated that this is the time of year when the City looks the worst because of the trash lying all over the place and if the residents wouldn't mind helping pick up the garbage on their streets. He stated that let's clean up the City and get it looking really nice for the spring.

Councilwoman Spinks stated that on April 9<sup>th</sup> the Bedford Historical Society is having their reverse raffle and tickets are now on sale to get them please call (440)232-0796 or online at <http://www.bedfordohiohistory.org>. She stated that is one of their big fundraisers, and if you can't go please consider donating. She also stated that they are still looking for raffle items for the reverse raffle. She continued to stated that the reverse raffle will be held at La Casa Bella. She also stated that the Old Chris's Restaurant will now be Broadway Diner. She stated that she was happy to see people out picking up trash today. She stated that the speeding is getting bad again.

Councilman Genutis had nothing to report this evening.

Councilman Fluharty stated that the more people we get out there picking up trash the better off we are. He stated that the first week of April will begin the Chipper Service.

That concluded Council's report.

**ORDINANCE NO. 9957-22:** AN ORDINANCE AMENDING ORDINANCE NO. 9914-21 MAKING ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2022 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 9957-22 on third and final reading and passed.

Mr. Gambosi stated that this ordinance is for all of the leftover grants from last year that weren't spent plus a lot of projects that are going on this year

- Prisoner housing outsourcing to Solon
- Axon Body and Car Cameras
- Axon tasers (when approved)
- Traffic signal pole damage
- SEAL funds from prior year for Byrne grants
- **Fund 213 Grants Fund:**
  - Donations for police
  - Donations for fire



- re-appropriate for VAWA Grants
- **Fund 217 American Rescue Plan Fund:**
  - Appropriate funds to be received for pool house upgrades
  - road improvements
- **Fund 403 Capital Projects Fund:**
  - Broadway waterline replacement
- **Fund 500 Water Fund:**
  - Broadway waterline replacement
- **Fund 501 Waste Water Fund:**
  - Broadway waterline replacement (sewer portion)
  - purchase of monitoring equipment including installation by Hatch and Acom
  - maintenance of the same by Acom
- **Fund 805 SEALE Unforfeited Fund**

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

**ORDINANCE NO. 9958-22:** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN ECONOMIC DEVELOPMENT A JOB CREATION AND RETENTION PROGRAM AGREEMENT WITH PENSKE AUTOMOTIVE GROUP (“PENSKE”) AND DECLARING AN EMERGENCY was read by title only. Motion made by Genutis and seconded by Spinks to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Asbury to place Ordinance No 9958-22 on third and final reading and passed.

City Manager Mallis stated that this is geared toward job retention and Penske Automotive runs four major dealerships and a small business in the City. He stated that the goal is that they lease their properties and right now their current lease will be up in about four years. He stated that they are looking at it proactively and we want to make sure that they stay in the City of Bedford. He stated that the Auto Mile is one of their biggest employers and the Automile Penske is the largest. He stated that in good faith the City wants to offer them an incentive package and they are very appreciative of and that is what this ordinance reflects. Mr. Gambosi stated that the City would be looking at an investment of over \$47,000,000.00 in facilities along with over \$2,000,000.00 in inventory and equipment, and hundreds of jobs. He stated that they are also looking at the future to remain in Bedford but to improve the facilities.

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

Motion made by Spinks seconded by Genutis to approve the Planning Commission’s decision to approve a partial demolition of the structure and a complete renovation and addition to the existing convenience store/gas station located at 667 Northfield Rd., Bedford, OH. 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 for approval to construct a new Honda dealership on the vacant land (P.P # 813-03-006 & 813-03-007) located at the corner of Rockside and Bartlett Road. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, 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.

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

Meeting adjourned at 8:52 P.M.

  
Clerk of Council

  
Vice-Mayor/President of Council

Date: April 18, 2022