

Bedford City Council met in a Work Session at Bedford City Hall on Monday, April 4, 2022, at 5:30 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 from Triad regarding the equalization of the Wards, the representative from Triad stated that they did a calculation of the six wards and all of the Wards were within 5% except for Ward 4, which was at 36%. Councilman Asbury stated that the Charter states: "using official Board of Election figures as the basis of the estimates, in the interest of equalizing voter strength in all wards" and asked if how they calculated it was done by "population strength" or "voter strength" and the representative stated that it is based on population strength. Mr. Montello stated that having the Wards redistricted every four years can get confusing for the voters and that the rules have been by "population strength" and that in other communities the equalization of wards is done by "population strength." He stated that Bedford is one of the few communities that equalizes the Wards by "voter strength." The representative from Triad stated that the state ruling says by population strength. Mayor Koci stated that the state ruling trumps the City Charter. Mr. Montello stated that population strength is better for defense. Councilman Saunders stated that the last time the Wards were redistricted was back in 1989. Mr. Montello stated to propose and draft legislation and to have it on Three Readings. Mayor Koci stated that this would not go into effect until January 1, 2023. The representative from Triad stated that many communities are passing legislation now and the change goes into effect on January 1st.

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

Council had no changes to the minutes of the Work Session of March 21, 2022, Regular Meeting of March 21, 2022.

Ordinance No. 9959-22: contract with Fabrizi Trucking & Paving Inc. for Broadway Waterline Improvements, City Manager Mallis stated that the City advertised for bids, and Fabrizi was the lowest and that they have worked with the City in the past. He also stated that he is comfortable with the numbers and that doing work outside of the evening hours was not an option. He stated that Broadway will be closed from 10:00 p.m. to 6:00 a.m. and that there is one business that is open past 10:00 p.m., so they are looking into an option for access to that business after that time. Councilman Saunders inquired if there was a penalty if the road is opened up later than the scheduled re-open time and City Manager Mallis was not sure. Mayor Koci inquired about a start date and City Manager Mallis replied that Council has to pass the legislation first and then there will be a pre-construction meeting scheduled.

Ordinance No. 9960-22: to apply and accept NOPEC 2022 energized Community Grant(s) Funds, City Manager Mallis stated that this is to apply and accept the funds from NOPEC. He stated that this can be used for energy improvements. He also stated that the funds can be rolled over and used next year and that NOPEC will allow for municipalities to purchase electric

vehicles. Councilman Asbury inquired if the funds can be used to purchase hybrid vehicles and City Manager Mallis replied that he would look into it.

Ordinance No. 9961-22: amending Ordinance No. 9866-21 for continuing membership in the Ohio Municipal League (OML) Joint-Self Insurance Pool, Mr. Gambosi stated that is for claims and from substantial increases this year.

Resolution No. 2578-22: Participation Agreement for Opioid MOU and Resolution No. 2579-22: establish the OneOhio Settlement Special Revenue Fund, Mr. Gambosi stated that they are asking for a settlement and to state how the funds will be spent along with asking those in each Region to pass legislation. He stated that Resolution No. 2579-22 is to create a special fund.

Discussion of the Regular Meeting agenda was concluded.

Mayor Koci began the discussion of the Fireworks Ordinance, Mayor Koci stated that a lot of other cities are passing legislation regarding fireworks. City Manager Mallis asked if Council wants to expand on the sale of fireworks and Mr. Montello stated that there is a State Code regarding fireworks. Mayor Koci recognized Ms. Wood and she stated that if we can't catch them now how are we going to catch them lighting off the fireworks? City Manager Mallis replied that the City has to see them do it. Mayor Koci stated that he would like it put on the agenda for the first meeting in May.

Discussion of the Fireworks Ordinance was concluded.

Mayor Koci began the discussion of the Fourth of July Parade, City Manager Mallis stated that Mayor Berger from the City of Bedford Heights reached out to him and want to know what the City of Bedford was doing for the Fourth of July Parade. He stated that the biggest challenge is the staging of the parade and where to end it. He also stated that a decision doesn't have to be made right now but for sure by the first or second meeting in May and to get everyone to start thinking about it. Councilwoman Spinks suggested doing it the same way that the school does its parade.

Discussion of the Fourth of July Parade was concluded.

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

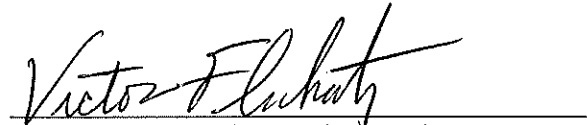
Adjourned into Executive Session at 7:00 p.m.

Motion made by Saunders and seconded by Asbury 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 7:58 p.m.

Work Session adjourned at 7:59 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, April 4, 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.

Mayor Koci gave his condolences to Councilman Saunders for the passing of his father.

City Manager Michael Mallis stated that the City has the Annual Arbor Day Planting that will take place on the Commons on April 29th at 10:00 a.m. He noted that the Easter Egg Hunt would take place on April 9th and if you are interested, visit the Parks and Recreation Department to sign up. He stated that the City successfully obtained a grant for around \$13,000.00 through Cuyahoga County for preventive maintenance work; this is for crack sealing and repairs on Solon Rd. and Egbert Rd. He stated that Solon Rd. is a county road and that they are having a conversation with the county regarding its condition in the coming weeks.

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 sent his condolences to Councilman Saunders for the passing of his father. He stated that the tax filing due date is April 18th. He noted that the Tax Department would not be open this year due to COVID but still have them in on time. He said that our new Assistant Finance Director, Allison Chance, will be joining the department next week. He stated that she has many years as the Finance Director and Assistant Finance Director for the City of Bedford Heights.

That concluded the Finance Director's report.

Councilman Saunders thanked everyone for the condolences for the passing of his father. He stated that his father was involved in everything, especially when it came to sports. He noted that his father worked in the Tax Department for the City for almost fifteen years. He inquired about any movement on the house located on Columbus Rd. City Manager Mallis replied that he believes they were issued a citation. Councilman Saunders asked about a timetable on when they will open Logan St. again, and City Manager Mallis replied that he doesn't have a timeline for the road opening. Councilman Saunders also inquired if they would have to go through the sewer from Logan St. to Garden Dr. and City Manager Mallis replied that he doesn't believe so.

Councilwoman Spinks stated that the Mayor and Council received a brochure from the school for a Community Earth Day Challenge held between April 20th to April 22nd. You take a photo of yourself doing something to beautify the community and email the picture to socialmedia@bedfordschools.org. She also stated to include your name, school/company/organization, and make it a family, group, or company activity. She said we

have to teach our kids what they are doing to our environment. She stated that she has seen more and more people picking up trash and that we still have a long way to go, and it's not just here in the City. It's everywhere. She stated about the speeding and the disregard to stop signs and possibly paint the street stop in big letters and that we have to send a message that it is not okay to speed or disregard the stop signs.

Councilman Genutis stated that it is not a bad idea to get something in their heads for Earth Day and to do something to something and have it be more prevalent in our society.

Councilman Fluharty stated that it is that time of year again when the speeding is terrible, and it is everywhere. He noted that the chipper service is out now, so call the Service Department to get on the list for May if you have stuff. He stated that it is the first week of the month for chipper service. He wished everyone a Happy Easter.

Councilman Asbury sent his condolences to Councilman Saunders for the passing of his father. He stated that starting April 18th, 22nd, 25th, and the 29th is the computer/household hazardous waste roundup; visit the website at bedfordoh.gov for the details. He stated that the Bedford Community Garden has some plots available, and if anyone is interested, it is behind Central School. If you are interested, contact Lisa Wiggins at (216)548-1175. He stated that the Bedford Downtown Alliance Annual Chocolate Walk would be on Saturday, May 14th and tickets go on sale Friday, April 8th in the morning. He inquired about the WiFi in the Square, and City Manager Mallis replied that he was out on vacation, so he didn't know but that he will know first thing in the morning at the staff meeting. Councilman Asbury stated that several residents had expressed concerns about getting some more garbage cans throughout the City.

Mayor Koci congratulated the Finance Department on receiving their GFOA Award for this year. Mr. Gambosi stated that it is number thirty-one, and less than 5% of the entities get the award. He continued to say that the City has not only received the prize thirty-one consecutive times, but he has received it thirty-four times. He stated that there is a lot of education that goes into getting it and that in the last five years, the City received perfect awards and perfect reports. He stated that it is tough to obtain and do that quality of work for that long time. He thanked Mrs. Howland and his staff for doing a great job over the years. He thanked the Mayor for acknowledging it and Council for allowing the City to proceed with it year after year to get that acknowledgment. Mayor Koci stated that he would like to see as many people in the City taking a picture, planting flowers, or anything to make the City beautiful; it would be a great thing to flood the school with all the pictures.

That concluded Council's report.

ORDINANCE NO. 9959-22: AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FABRIZI TRUCKING AND PAVING INC. BEING THE LOWEST, RESPONSIVE AND RESPONSIBLE BIDDER, 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 9959-22 on third and final reading and passed.

City Manager Mallis stated that we have been talking about this project for about a year now, and the City held a bid opening on Friday, March 25th, for the Broadway Waterline Project. He stated that this would also include electrical repairs, curb replacements, and miscellaneous sewer repairs. He said they received two bids, and Fabrizi Trucking and Paving came as the lowest with a bid of \$1.2 Million 98 and some change, which came in at \$112,000.00 to the City Engineers' estimate. He stated that one of the things that they did experience is that this number is slightly higher, and it is because the City requires evening work. He stated that they would close Broadway Ave. The project will take place from five points and run to the Wheeling Erie Rail Line. He said that once it is awarded, there will be a pre-construction meeting, and there they will get more information, but the estimated timeline for the work would start at 10:00 p.m. and reopen by 6:00 a.m. He stated that they believe that they can have the project completed in ninety days, and he likes to add thirty days to it because things always happen. He also stated that Fabrizi is a very reputable company, and they've done work in the City on numerous projects. He said that once they have more information, there will be a Public Meeting with the downtown businesses and the residents in the area to know what to expect during the construction time. He stated that it is an inconvenience, but it is necessary; the waterline needs to be repaired, and the underground electrical fails. He said that it is essential to have it completed by the end of this year because we will be on schedule for ODOT to come through next year to resurface Broadway Ave. from Corp Limit to Corp Limit completely.

Councilman Saunders stated that any resident within several blocks of Broadway Ave. would have a very unrestful night's sleep because there would be noise due to the construction project. He stated that it is a necessary project.

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

ORDINANCE NO. 9960-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2022 ENERGIZED COMMUNITY GRANT 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 9960-22 on third and final reading and passed.

City Manager Mallis stated that this supports the City to apply for and receive grant funds through NOPEC. He said that we've been successful every year in applying for this grant; it's brought in anywhere from \$33,000.00 to the high of \$39,000.00 annually. He stated that the City has to submit an energy project to them, and NOPEC has expanded for other opportunities on

where the funds can be used. He noted that the City is internally discussing some projects that may fit, and this program will also allow us to accept the funds for the next couple of years. He stated that if the City identifies a project that might be over the \$30,000.00, the City can escrow this year's funds until next year, when the City isn't out any money, and use the two years combined. He stated that the City is looking to identify an appropriate project for it, and at that time, the City will share it with Council and the public.

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

ORDINANCE NO. 9961-22: AN ORDINANCE AMENDING ORDINANCE NO. 9866-21 TO PROVIDE FOR CONTINUING MEMBERSHIP IN THE OHIO MUNICIPAL LEAGUE JOINT SELF-INSURANCE POOL, PROVIDING FOR PAYMENT THEREFORE 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 9961-22 on third and final reading and passed.

Mr. Gambosi stated that it is an increase this year of about \$20,000.00, which had to do with the exposures from automobile claims, equipment claims, and uninsured motorist claims at the insurance pool. He stated that the collection has been beneficial to the City in having a say in our claims and increasing our surplus in the program, and the contribution rate has to be increased after 35 years. He stated that the City is increasing the cost to cover the insurance pools and reserves for claims out there.

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

RESOLUTION NO. 2578-22: A RESOLUTION APPROVING PARTICIPATION IN REGION 3 GOVERNANCE STRUCTURE UNDER THE ONEOHIO MEMORANDUM OF UNDERSTANDING (MOU) 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 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 Spinks and seconded by Fluharty to place Resolution No 2578-22 on third and final reading and passed.

Mr. Gambosi stated that in regards to the OneOhio Tool Kit, part of what the City does is earlier this year, they had to join the statewide pool for resolutions of the lawsuits of the opioid program. He stated \$808,000,000.00 was distributed throughout the state, of which 70% of the cities out there participated in the first round to accept funds, and the City was one of them. He stated in doing so, now the state-created regions, where again, a resolution needs to be passed to

allow the City to participate within Region 3, allowing the county to receive the funding from the statewide group. He stated that the second resolution is in line with creating a fund, and the State Auditor requires a separate fund for these dollars to be received. He noted that the \$808,000,000.00 will be distributed over 18 years and that he is not sure what the amount of money will be to the City. He stated that whatever amount comes our way tonight Council will be authorizing that heading to the City or be redirected to the properly certified programs that will in advertising or educating by law.

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

RESOLUTION NO. 2579-22: A RESOLUTION TO ESTABLISH THE ONEOHIO OPIOID SETTLEMENT SPECIAL REVENUE FUND, 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 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 2579-22 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.

Mayor Koci reminded the residents of Ward 4 that Friday, April 8th is the deadline to turn in your letter of interest or resume for the Ward 4 Councilperson.

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

Jeff Duber, 134 Harriman St., Bedford, OH, inquired about any movement regarding the fireworks ordinance, and Mayor Koci replied that Council has a draft of the ordinance that they went over this evening to prohibit them. Mr. Duber inquired if it would be going to Council at the next meeting, and Mayor Koci replied that if not at the next meeting, it would be the first meeting in May.

Eboni Dickerson, Branch Manager at the Bedford Library, stated that they would be starting the food distribution. They give away free produce on the Third Wednesday of every month beginning in April till September from 1:30 p.m. to 3:30 p.m. She stated that if anyone would like to volunteer, please visit <http://www.cuyahogalibrary.org>.

Barbara McDaniel, 186 Center Rd., Bedford, OH, inquired about who was responsible for cleaning up all of the brush by the edge of Saint Eugene's. City Manager Mallis replied that the City had notified the Illuminating Company. They are supposed to be sending a crew out to clean it up. Ms. McDaniel stated that behind City Hall, one tree is blocking the path and needs to be trimmed.

Jennifer Cuthbertson, 58 Union St., Bedford, OH, stated that she is here today to request a guard rail installed at 62 Union St. (her neighbor's house.) and wanted to know how it was never installed. She stated that on Saturday, March 26th, another vehicle came through her neighbor's front yard and stopped at her front porch. She said they knew that guard rails can be practical and wanted to know why semi-trucks were allowed on Union St., and enjoy the City to reduce the chances of something like this or much worse from happening again.

Pamela Urguhart, 70 Union St., Bedford, OH, stated that o two vehicles have come into her front yard over the time she has lived on the street.

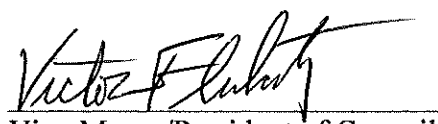
City Manager Mallis stated that he would look into the signage and its removal. He also said that getting something like that put up they can take a look at; it's hard for the City to ban the truck traffic because it is a county road; we are not authorized to do that. Councilman Saunders stated that he used to work for the County Engineer's Office and Union St. is a county road. They cannot prohibit trucks on any county route; that is why they were overturned in several court decisions. He continued to state that for a guardrail to be protective; it has to have three sections and the insinulators; unfortunately, Union St. has driveways. He continued to say they can put the guardrail up, but then it becomes a hazard, and you can be negligent by putting a risk up, and that is part of where the guardrail issue comes into. He stated that the ideal situation would be to put concrete jersey barriers up, and it doesn't have the same regulations based on the state Manual Uniform Traffic Control Devices. However, the walls have their issue. He stated that the sign was removed because it doesn't meet the Manual Uniform Traffic Control Devices; you can only have characters put up in the manual on a county or state route. He stated that we would study the situation again. City Manager Mallis noted that he would be in contact with them to see what they could do.

Denise Zingale, 27 Tudor Ave., Bedford, OH stated that Bedford Nutrition is opening up this Saturday. She noted that the Bedford Downtown Alliance is looking for more volunteers to help with the May 14th Chocolate Walk. She said that the Cuyahoga County Valley National Park would be conducting prescribed fires in three locations this month, between April 1st and April 15th. She inquired about getting a stop sign at the end of Tudor Ave.

Mayor Koci asked if there were any further comments. There is no reply, Spinks made motion 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 8:57 P.M.


Clerk of Council


Vice-Mayor/President of Council

Date: April 18, 2022