

Bedford City Council met in a Work Session at Bedford City Hall on Monday, May 16, 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, and Assistant Finance Director Allison Chance. 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 May 2, 2022.

Council had no changes to the minutes of the Special Work Session of May 9, 2022.

Ordinance No. 9964-22: for the equalization of Wards in the City of Bedford (1st Rdg. 4/18/22, 2nd Rdg. 4/26/22, Tabled 5/2/22),

Resolution No. 2581-22: request County Auditor to advance taxes from tax levy proceeds for 2022 collected in 2023, Mrs. Howland stated that this is for the County Auditor to advance taxes in January 2023.

Resolution No. 2582-22: approving and accepting the proposed 2021 Tax Budget for the year January 1, 2023, to December 31, 2023,

Resolution No. 2583-22: declaring the necessity to improve certain streets by lighting the same,

Ordinance No. 9970-22: to proceed with the improvement of certain streets by lighting same and Ordinance No. 9971-22: levying special assessments for the improvement of the street and public places, Mrs. Howland stated that these two ordinances are where the City sets the milage and locked in with NOPEC for three years.

Resolution No. 2585-22: become a Power A Clean Future Ohio, Mayor Koci stated that this does not cost the City anything and if we need something they direct the City to the proper people. He also stated that this will be on First Reading.

Ordinance No. 9973-22: for engineering fees for Broadway (SR 14) Resurfacing Project, City Manager Mallis stated that this is strictly for engineering fees.

Ordinance No. 9974-22: amending Ordinance No. 9849-21 modify the wage and benefits for Police lateral transfers, Mr. Gambosi stated that this is to include lateral transfers for the Fire Department as well.

Ordinance No. 9975-22: amending Ordinance No. 9914-21 making additional Appropriations,

Ordinance No. 9976-22: amending Ordinance No. 9956-22 purchase Tasers from Axon Enterprise, Mrs. Howland stated that this is to amend Ordinance No. 9956-22 to describe the breakdown in the cost for the four (4) years.

Ordinance No. 9977-22: amending Ordinance No. 9275-15 contract with Kimble for garbage /refuse collection and recycling, City Manager Mallis stated that this is a contract with Kimble with the surrounding communities. He stated that Rumkee's roll-off costs are double Kimble's costs. He also stated that bulk items for Rumkee require a 24-hour notice and that the resident is required to remove the free-on. He stated that it is the City's recommendation to go with the other communities and go with Kimble. Councilman Saunders inquired if the other communities have passed legislation on this and City Manager Mallis replied that the City of Bedford might be the first to pass legislation.

Ordinance No. 9978-22: levying assessment for garbage/refuse collection, recycling, and disposal, City Manager Mallis stated to put this on First Reading and that it is to increase the price and it has to go along with the contract with Kimble.

Ordinance No. 9979-22: contract with A&A Safety for street striping, City Manager Mallis stated that this is for the long line striping and it is done every year. He stated that the costs are going up and that A & A came in as the lowest bidder.

Ordinance No. 9980-22: contract with Fabrizi Trucking & Paving Co. for Corkhill storm sewer repairs, City Manager Mallis stated that this is in regards to a hole that is more than 20 feet deep and that this is something that the City guys cannot fix and it is appropriated for.

Motion to repeal Ordinance No. 9972-22 concerning the TIF Agreement to enable the City to modify the Ordinance in accordance with Ohio Law. City Manager Mallis stated that our attorney suggests having the schools pass the TIF Agreement first and then the City.

Discussion of the Regular Meeting agenda was concluded.

Work Session adjourned at 6:59 p.m.

Mayor Koci started the Work Session on Monday, May 16, 2022 back after the Public Hearing at 7:04 p.m.

Motion made by Spinks and seconded by Asbury to go into an Executive Session to discuss Economic Development: TCCP, 17500 Rockside Road, and Willis Street Property and Personnel: City Manager Administrative Assistant Position. The roll was called. Vote – Yeas: Spinks, Genutis, Fluharty, and Asbury. Nays: None. Motion carried unanimously.

Adjourned into Executive Session at 7:05 p.m.

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

Adjourned out of Executive Session at 7:50 p.m.

Work Session adjourned at 7:51 p.m.


Clerk of Council


Mayor/President of Council

Date: June 6, 2022

Bedford City Council met in a Regular Session at Bedford City Hall on Monday, May 16, 2022. Mayor Koci called the meeting to order at 8:00 P.M.

The roll was called. Present: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Absent: None.

Motion made by Spinks and seconded by Fluharty to approve the minutes of the Work Session Meeting of May 2, 2022. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Abstain: None. Motion carried unanimously.

Motion made by Asbury and seconded by Saunders to approve the minutes of the Special Work Session Meeting of May 9, 2022. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Abstain: None. Motion carried unanimously.

RESOLUTION NO. 2584-22 BEING A RESOLUTION APPOINTING FRANK E. SMITH JR. TO FILL THE VACANCY ON COUNCIL IN WARD 4 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.

Mr. Montello stated that Resolution No. 2584-22 was passed as an emergency.

At this time, Mayor Koci performed a Swearing Ceremony for Frank E. Smith for Councilman for Ward 4 and Fire Medic Sterling Black for the Fire Department.

Fire Chief Nagy stated that this is the first time in the history of the Fire Department in doing a lateral transfer and not the Civil Service Test, that they took applications of qualified candidates, and there were eighteen interviews. He stated that the scoring system was very tight, and in Mr. Black's interview, he was two points ahead of the second-place candidate. He stated there wasn't any other greater distance in points anywhere else out of the eighteen interviews, and Mr. Black is number one.

ORDINANCE NO. 9964-22: AN EMERGENCY ORDINANCE RE-DIVIDING THE CITY OF BEDFORD INTO SIX WARDS AS NEARLY EQUAL IN NUMBER OF PERSONS AS POSSIBLE, ESTABLISHING THE BOUNDARIES OF THE WARDS, AND CERTIFYING SAME TO THE BOARD OF ELECTIONS was read by title only. Mayor Koci stated that it was Tabled at the last meeting and they are going to leave it on the Table, Council has more to discuss on it.

RESOLUTION NO. 2581-22: BEING A RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE TAXES FROM THE PROCEEDS OF TAX LEVIES FOR THE YEAR 2022 COLLECTED IN 2023 PURSUANT TO SECTION NO. 321.34 OF THE REVISED CODE OF THE STATE OF OHIO, AND DECLARING AN EMERGENCY was read by title only. Motion made by Saunders and seconded by Asbury to place Resolution No. 2581-22 on Second Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty,

Asbury, and Saunders. Nays: None. Abstain: Smith. Motion carried with Six Yeas and One Abstain.

RESOLUTION NO. 2582-22: A RESOLUTION APPROVING AND ACCEPTING THE PROPOSED 2022 TAX BUDGET FOR THE YEAR JANUARY 1, 2023 TO DECEMBER 31, 2023 AND DECLARING AN EMERGENCY was read by title only. Motion made by Fluharty and seconded by Genutis to place Resolution No. 2582-22 on Second Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Abstain: Smith. Motion carried with Six Yeas and One Abstain.

RESOLUTION NO. 2583-22: A RESOLUTION DECLARING THE NECESSITY TO IMPROVE CERTAIN STREETS IN THE CITY OF BEDFORD, OHIO BY LIGHTING THE SAME AND DECLARING AN EMERGENCY was read by title only. Motion made by Saunders and seconded by Asbury to place Resolution No. 2583-22 on Second Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Abstain: Smith. Motion carried with Six Yeas and One Abstain.

ORDINANCE NO. 9970-22: AN ORDINANCE DETERMINED TO PROCEED WITH THE IMPROVEMENT OF CERTAIN STREETS IN THE CITY OF BEDFORD, OHIO BY LIGHTING THE SAME AND DECLARING AN EMERGENCY was read by title only. Motion made by Spinks and seconded by Genutis to place Ordinance No. 9970-22 on Second Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Abstain: Smith. Motion carried with Six Yeas and One Abstain.

ORDINANCE NO. 9971-22: BEING AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF THE STREET AND PUBLIC PLACES OF THE CITY OF BEDFORD, OHIO BY LIGHTING OF THE SAME IN ACCORDANCE WITH RESOLUTION NO. 2583-22 AND ORDINANCE NO. 9970-22 AND DECLARING AN EMERGENCY was read by title only. Motion made by Asbury and seconded by Saunders to place Ordinance No. 9971-22 on Second Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Asbury, and Saunders. Nays: None. Abstain: Smith. Motion carried with Six Yeas and One Abstain.

City Manager Michael Mallis congratulated Councilman Smith and Mr. Black they are going to do an exceptional job and he looks forward to working with both of them. He commended the K-9 Unit for helping the City of Garfield Heights in apprehending a suspect, the K-9 Unit was able to locate the suspect with no one getting hurt. He stated that in regards to security the City did have a meeting with the contractor that assisted with the camera installation along Broadway Ave. and Rockside Rd., they help in reading license plates when there is an incident. He stated that through a generous donation through the Automile the City will be looking to install them throughout the Historic District and in areas of Broadway Ave. and that they hope to have them installed and operational by summer. He also gave an update that the Broadway Ave. construction project will begin this week, the daytime work is pushed back a couple of days due to a delay in materials. He stated that the sewer work and daytime work will start on Wednesday, May 18th and the evening work will commence on Sunday, May 22nd. He stated that Broadway Ave. will be closed during the evening hours from 10:00 pm. to 6:00 a.m. He

stated that the detour route information can be found online, and all of the restaurants that are open till 11:00 p.m. will still be accessible. He stated that for the tree planting the contractor has commenced with the planting, and Cuyahoga County was out taking photos, which is part of the grant requirement. He stated that the City is hoping to plant between 50 to 60 trees in the spring and the remaining will be planted in the fall. He stated that it was a \$50,000.00 grant and the City's match was just over \$5,000.00. He reminded everyone that June is free permit month for specific projects for owner-occupied residential homes and if you are interested contact the Building Department. He stated a few months ago the City started sending out notices to vacant properties stating that it is their responsibility to maintain the grass. He stated the reason for sending out the notices ahead of time is that in the event that the City has to go and cut the grass the owner has to have been given notice in order to be assessed. He continued to state that the City wants those properties to be maintained, and when the notices are posted the City is required to give the property owner 72-hour notice before the City staff can then go ahead and cut the grass. He stated that if anybody is interested in summer employment contact the City. He stated that the City is working to finalize the details for the Municipal Pool in particular the opening dates, closing dates, and classes. He stated that normally it is already in place but the reason it isn't is that the City was recently awarded \$200,000.00 in grant funds for a major renovation to the pool house. He stated that part of the requirements for the grant is that the City has to spend a large portion of the money by the end of September, and the City is working to bid the project out once awarded how quickly can the City spend the money, also will the pool open later and close earlier, the City is working through those details. He stated that the City will have something posted as soon as possible.

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 congratulated Councilman Smith and Mr. Black. He stated that shred day was a great success and that a couple of things that help with the fast process are to place papers in a basket or box for quicker dumping and to stay away from plastic bags. He also stated to remove any metal clips or steel items, cd's are fine just not the plastic cases.

That concluded the Finance Director's report.

Councilwoman Spinks congratulated Councilman Smith and Mr. Black. She inquired about the sinkhole on Sector Dr. and City Manager Mallis replied that the crew will be out to fill it and that he would send her an update tomorrow on when it will be, it is scheduled to get filled.

Councilwoman Spinks stated that she is glad to see the speed sign up by Honda on Broadway Ave. She stated that there are some happy residents on Natalie Rd. regarding the tree planting. She stated that the Bedford Downtown Alliance's Chocolate Walk was fun. She stated that she and her husband will be celebrating their thirteenth Wedding Anniversary.

Councilman Genutis welcomed Councilman Smith to Council and looking forward to working with him. He also congratulated Mr. Black. He thanked the residents in Ward 2 for all of the

work that they are doing in their yards it looks great and he appreciates all of the work that they are doing. He stated that he has noticed that there is less trash in his Ward and at Taft Park and he thanked the City for making sure that the trash cans are emptied as well it helps out a lot. He thanked the Bedford Downtown Alliance for the Chocolate Walk it was wonderful.

Councilman Fluharty congratulated Councilman Smith and Mr. Black on their new positions. He inquired about the camera's being put up and City Manager Mallis replied that last year the Bedford Automile asked if the City had any specific projects that they were looking at and that were not budgeted for. City Manager Mallis stated that the Automile donated to the Bedford City Schools Foundation for \$20,000.00. He continued to state that the City sent the Automile a couple of different projects: one was regarding the cameras that were put up along Rockside Rd. and Broadway Ave., that was funded by the Automile and the City installed them. He stated the City also utilizes the WiFi and it is tied into the police cruisers. He stated that the cameras have been a good resource for the Police Department. City Manager Mallis also stated that they looked at the downtown area and one of the projects that the City talked about with the Automile is to extend it to the Historical District and the Commons to add some security to that area. He stated that the Automile provided the donation to cover the costs and any remaining money they requested to be earmarked to any project to expand the Commons or improvements to the Commons. Councilman Fluharty also inquired about polls getting knocked over and if the City found out who did it and City Manager Mallis replied that they did identify who it was and the cameras would help.

Councilman Smith thanked everyone and he will try his best to finish some of the things that Councilwoman Mizesak started. He stated that just getting into this he doesn't know what is going on in the Ward and that he is out there trying to find out what is going on. He also stated that he is a face-to-face person to see what is going on for himself.

Councilman Asbury congratulated Councilman Smith and Mr. Black. He stated that the Chocolate Walk was a big success and that the Bedford Downtown Alliance Board and Planning Committee would like to thank all those who were involved in putting on a very successful Chocolate Walk. He stated that the First Friday of the year will be on Friday, June 3rd from 6:00 p.m. to 8:00 p.m. and to check out the Bedford Downtown Alliance website and Facebook Page for upcoming events. He also congratulated the Bedford Garden Club for another wonderful Plant Sale last Friday and Saturday. He also stated that the Memorial Day Parade will be start at 10:15 a.m. at City Hall and walk down to the square for a presentation and then down to the cemetery.

Councilman Saunders congratulated Councilman Smith and Mr. Black and that they will do very well. He inquired if Ennis St. hill is on the resurfacing plans and City Manager Mallis replied that what they are doing now is identifying which streets will be included in the Road Program and it will be to Council in preparation for going out to bid next month. He stated that they are trying to get as many streets as possible for the amount of money that the City has set aside. He continued to state that he doesn't believe it is on for the full resurfacing, only because the waterline needs to be done first. He stated that most likely they will look at doing the waterline possibly this year and the resurfacing will be next year, that is one of the conversations that was had. He stated that they are aware that some of those areas need to be addressed. Councilman

Saunders stated there will need to be some repair on the hill because that pavement is coming apart big time and it's good to hear that it's being looked at. He stated that there are two trees that have branches hanging on them and they are located on the west end side near the dead-end stretch of Logan St. and if some could go down there and clip and get rid of them it would be appreciated.

Mayor Koci stated that the permit fees are waived for the month of June, but you still have to get the permits. He also stated that the Chocolate Walk was wonderful. He stated that most of the people who attended the Chocolate Walk were from out of town, which is the goal for people to come and visit our businesses in the Downtown area and it worked.

That concluded Council's report.

RESOLUTION NO. 2585-22: A RESOLUTION AUTHORIZING THE CITY OF BEDFORD TO BECOME A POWER A CLEAN FUTURE OHIO COMMUNITY AND TO ADOPT A GOAL TO REDUCE GREENHOUSE GAS EMISSIONS IN THE CITY AND DECLARING AN EMERGENCY was read by title only.

Mayor Koci stated that Power of Clean Future Ohio is a group that will come in and helps the City with tools and resources to create a carbon reduction plan and implement them in ways that are achievable, measurable, equitable, and economical. He stated that they help to reduce the carbon footprint in local communities across Ohio, attract clean energy development for the state to create careers for Ohioans. He stated that they help reduce energy costs for cities, businesses, and residents. He also stated that he attended their presentation and thought that it was a good thing for the City to look at and that they will have some people come in and talk to Council and give more insight on it.

Motion made by Asbury and seconded by Saunders to place Resolution 2585-22 on First Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9973-22: AN ORDINANCE AUTHORIZING THE APPROVAL OF ENGINEERING FEE TO GPD GROUP FOR ITS SERVICES REGARDING DESIGN COSTS ASSOCIATED WITH THE REPAIR AND RESURFACING OF BROADWAY (SR 14) IN THE CITY OF BEDFORD 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, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Genutis to place Ordinance No. 9973-22 on third and final reading and passed.

City Manager Mallis stated that this is authorizing the City to cover the costs associated with engineering work that needs to be done for ODOT Broadway Resurfacing Project that will be done next year. He stated that it is not affiliated with the project that is being done now. He stated that the City is tasked with reviewing and submitting comments, questions, and requests to

ODOT during the planning process and the City Engineer needs to do that work this authorizes the City to cover those costs.

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

ORDINANCE NO. 9974-22: AN ORDINANCE AMENDING ORDINANCE NO. 9849-21 AUTHORIZING THE CITY MANAGER AND THE FINANCE DIRECTOR TO MODIFY THE WAGE AND BENEFITS FOR SAFETY FORCES LATERAL TRANSFERS AND DECLARING AN EMERGENCY was read by title only.

Mr. Montello stated that it will need to be amended to include 2,496 hours for the Fire/EMS.

Motion made by Asbury and seconded by Smith to include the Fire/EMS hours. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

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, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Asbury and seconded by Saunders to place Ordinance No. 9974-22 on third and final reading and passed.

Mr. Gambosi stated that in regards to police and fire/ems they did the lateral transfers earlier and the ordinance passed for the Police Department, but what they did now make the equivalent of that for the Fire Department in the lateral transfers. He stated that one of the incentives that the City provides in coming to Bedford is depending upon where you are at and how many years of experience you have it comes over to the scale of the Fire Department and the Union as to what they would be making with the City of Bedford.

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

ORDINANCE NO. 9975-22: 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 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, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Fluharty and seconded by Genutis to place Ordinance No. 9975-22 on third and final reading and passed.

Mr. Gambosi stated that this ordinance is appropriate for the following:

General Fund:

- \$80,000 decrease in salaries due to the use of Solon jail
- \$17,700 for liability insurance premiums
- \$5,565 for Bonefish systems monitoring software that will help reduce errors in accounts payable and payroll processes
- \$9,642 for Simplex due to the addition of multi-factor authentication procedures
- \$10,528 increase in incentive-related payments to BBOE
- \$7,160 increase in business grants offered

Fund 200 Community Development Fund:

- \$150,000 from the County CDBG program, which will be used toward the pool house renovations
- \$50,000 for the County CDSG program, which will be used toward the roof of the pool house
- \$20,000 for the demolitions of 132 Greencroft and 65 Talbot

Fund 202 State Highway Improvement Fund:

- \$2,220.74 due to an increase in the cost of street striping over the original budget.

Fund 205 SEALE Fund:

- \$37,200 for the 2022 JAG Byrne grant
- \$36,321.29 in personal services
- \$878.71 in other

Fund 209 Street M & R Fund:

- \$36,185 Corkhill sewer emergency repair.

Fund 213 Grants Fund:

- \$17,130.24 for the OCDETF grant. This will increase the budget to \$25,000, with matching revenues
- \$12,000 Recreation County Developmental Disabilities grant expenses
- \$27,127 for the Recreation department County Community Social Services Program grant expenses
- \$55,600 tree grant, plus match; \$22,720.72 advance back to GF due to receipt of some Cuyahoga County funds related to the downtown WIFI project
- \$6,214.22 for the recycle grant expenses

Fund 217 American Rescue Plan Fund:

- Reallocating \$4,537.74 to the ARPA WIFI line from the ARPA road improvements line.

Fund 403 Capital Projects Fund:

- \$168,000 for Broadway SR 14 resurfacing engineering
- \$169,285.81 reduction to Broadway waterline project due to the reallocation of funding sources

Fund 500 Water Fund:

- \$4,580.78 for the increased cost of plow/ and vehicles
- \$227,076.69 was allocated for the water portion of the Broadway waterline project; \$68,069 for the addition of a mechanic position.

Fund 501 Wastewater Fund:

- \$19,556.58 reduction to Broadway waterline project due to the reallocation of funding sources
- \$22,400 for Nerone & Sons Sludge thickener repairs
- \$22,857 for Advanced Rehab Tech Sludge thickener repairs

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

ORDINANCE NO. 9976-22: AN ORDINANCE AMENDING ORDINANCE NO. 9956-22 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 Smith 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, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Fluharty to place Ordinance No. 9976-22 on third and final reading and passed.

Mr. Gambosi stated that this ordinance expands into more details as to how the City will be paying for the tasers over time and the total cost will be \$64,947.51. He stated that it will consist of one payment for \$12,989.51 followed by four other payments yearly at \$12,989.50. He stated that this is to clarify how the payments will be made.

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

ORDINANCE NO. 9977-22: AN ORDINANCE AMENDING ORDINANCE NO. 9275-15 AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH KIMBLE BEING THE LOWEST AND BEST BIDDER, AND DECLARING AN EMERGENCY was read by title only.

Mr. Montello asked to have the language amended to the lowest, responsive, and responsible to be changed to the lowest and best bidder.

Motion made by Saunders and seconded by Asbury to amend the language from the lowest, responsive, and responsible to be changed to the lowest and best bidder. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

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, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Asbury to place Ordinance No. 9977-22 on third and final reading and passed.

City Manager Mallis stated that the consortium contract with the refuse hauler expires later this year and the City works with a number of different communities and the Services Director's work to put out bid documents and advertise for formal bids. He stated that typically the contract is a five-year contract and there were two option years and the City did exercise and financially it made sense. He stated that the consortium bid the refuse/recycle contract out and they receive a number of bids ultimately it comes down to the consortium unanimously agreeing to stick with Kimble, which is the City's recommendation to stay with Kimble. He stated that there were some items in the Rumpke contract that were not the same services that Kimble was providing, specifically when it gets involved with large and bulk items. He stated that Kimble collects them and with Rumpke, residents would have to contact them 24 hours in advance or it would not be collected. He stated that Rumpke has a list of items that were not acceptable and were not listed in the Kimble collection. He stated that anything with freon would have to be tagged and removed and it would cost residents over a hundred dollars to get it removed in order to put those items out on the tree lawn. He stated that there are a number of items listed in the consortium's bid document for performance requirements and Rumpke had exceptions to a number of the items and which Kimble did not. He stated that in the consortium each of the municipalities requires to be added and additional insured if there were issues that came up that city is covered.

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

ORDINANCE NO. 9978-22: AN ORDINANCE TO LEVY ASSESSMENTS FOR THE EXPENSE OF GARBAGE/REFUSE COLLECTION, RECYCLING, AND DISPOSAL WITHIN THE CITY OF BEDFORD, OHIO DURING TAX YEARS 2022, 2023, AND 2024 AND COLLECTED IN 2023, 2024, AND 2025, RESPECTIVELY AND DECLARING AN EMERGENCY was read by title only. Motion made by Fluharty and seconded by Genutis to place Ordinance NO. 9978-22 on First Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9979-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL OF A & A SAFETY FOR LONGLINE STRIPING OF STREETS IN THE CITY 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, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Asbury to place Ordinance No. 9979-22 on third and final reading and passed.

City Manager Mallis stated that all of the long line striping is contract out and the City is still able to do some of the small cross bars and other striping in-house. He stated that it has normally been around \$30,000.00 or less and that the costs have gone up, the City did obtain two quotes, and the first one came in at \$34,199.11 and the second one come in from A & A Safety at \$32,220.74. He stated that A & A is the lowest bid between the two and the City has worked with them in the past.

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

ORDINANCE NO. 9980-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FABRIZI TRUCKING & PAVING CO. INC. FOR EMERGENCY REPAIRS TO THE STORM SEWER ON CORKHILL ROAD AND DECLARING AN EMERGENCY was read by title only. Motion made by Smith 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, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Fluharty and seconded by Spinks to place Ordinance No. 9980-22 on third and final reading and passed.

City Manager Mallis stated that the City identified a significant repair that needs to be made in the area near the Colony Club, it was a result of a failing 30-inch storm line. He stated due to the depth, which exceeds 20 feet deep, the City is unable to make those repairs internally. He stated that the City receive three quotes for those repairs and Fabrizi came as the lowest of the three quotes. He stated that this emergency repair was stated in Mr. Gambosi's appropriations.

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

Motion made by Asbury seconded by Saunders to repeal Ordinance No. 9972-22 concerning the TIF Agreement to enable the City to modify the Ordinance in accordance with Ohio Law concerning Tinkers Creek Commerce Park. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, 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.

Denise Zingale, 27 Tudor Ave., Bedford, OH inquired if there are requirements to become a Power to Clean Future Ohio and Mayor Koci replied that yes there are as with most anything. Ms. Zingale stated that the requirements according to PCFO (Power of Clean Future Ohio) are a three-level system and has one been chosen and Mayor Koci replied no. Ms. Zingale inquired if one has been thought about being chosen and Mayor Koci replied no. Ms. Zingale stated that the initial meeting that is coming up in June inquired if they will be coming because according to PCFO's paperwork to review the requirements and reach out to schedule a meeting and receive a community survey. She stated that the paperwork lists the requirements for the levels. Mayor

Koci stated that is what they will be coming in to discuss and that the City has not picked a level. City Manager Mallis stated that the City doesn't have to pick a level and that the levels are only if the City is awarded a bronze community, silver community, or gold community. He stated that this only acknowledges the City as one of those tiers. He continued to state that they are going to come in and present more information to City Council. Ms. Zingale stated that the way she is reading it as a resident is that the City would need to pick a tier and then from that point required to fulfill whatever the bronze, silver, or gold tier is. Mayor Koci stated that is why the City is inviting them to come and explain it and also why City Council placed it on First Reading.

Robert Diederich, 137 Santin Circle, Bedford, OH stated that he had a couple of concerns about the juvenile detention facility that is looking to relocate to the City of Bedford and he inquired if an economic impact study had been considered yet to determine the loss of gain in it, since there will not be any real estate taxes gained at that location that it seems like there would be a loss involved in it and secondly, would be an environmental impact since it will be a residential facility and have they moved forward to determine if that land is actually useable as a residential facility. He also inquired about a traffic impact study done there and how much of an impact will it be on that area. He inquired if there have been any other views toward any other uses for that area, something that would be taxable for the real estate so the City can gain something. He stated that the income from his estimate would be maybe \$200,000.00 a year. Mr. Gambosi stated that once they get fully impacted with 297 employees would be close to \$400,000.00 and the loss is \$20,000.00 on the property value right now. Mr. Diederich that the income is and that is after reciprocation and Mr. Gambosi stated that there is no reciprocation. Mr. Gambosi stated that they are working in Bedford, not at their home and this is a full 3%. Mayor Koci stated that they came to the City. Mr. Diederich inquired about the requirements and what did they find in the City of Bedford so attractive that they would want to come to the City versus other areas and Mayor Koci replied that those fifty requirements are what they used to search for a location. Mayor Koci stated that the City's location met 49 of those 50. Mr. Diederich inquired as to what did the location not meet and Mayor Koci replied that the state would've liked a little bit more acreage. Mr. Diederich inquired as to what the state said about expansion and Mayor Koci replied that it is going to be what it is and there is a certain footprint and the City is going to hold them to what they are at now. Mayor Koci stated that they can only have so many people and as for the traffic there will be fewer people coming and going than when it was a banking building. Mayor Koci stated that there would not be an impact on traffic. Mr. Diederich inquired if the state decided to buy the rest of the land all the way up to Lee Rd., would there be anything to prevent them from expanding it to a 500 unit and Mayor Koci replied yes that the City has control over that. Mr. Diederich inquired if there is an ordinance or a variance that will have to take place and Mayor Koci replied that there is a Planning Commission Meeting tomorrow evening. Mr. Diederich asked what the meeting is for and Mayor Koci replied for a special use permit. Mr. Diederich asked why are they requiring a special use permit and Mayor Koci replied to change from an office building they will have educational facilities that are not addressed along with a few more items as well that they will be asking for. City Manager Mallis stated that there are some items listed in the zoning of that space now that fit what they do. He stated that the zoning allows for administration and for education and the zoning does not allow talk about or deny and it is silent on the residential component, which is what they are asking for a special permit to include that. He stated that the roadway in that area is highly industrial and it is a

concrete road and there will be minimal impact on the road. He continued to state that they are not bringing in heavy equipment and that a lot of it is regular vehicles. He stated that the financial impact right now is based on the property being valued at roughly a million dollars, and the City gets \$20,000.00 and based on the income tax the City would generate around \$400,000.00 in 2026 if they would become fully operational. He continued to state that is equivalent to the road program. He stated that as far as the other uses since last he and the Economic Development staff member met at length and the reality is the City has had very limited interest in the site for office use and in coming out of COVID office space is dead. He stated that if the City identified someone for the space it's not the easiest to get to and it's been a turn-off with some of the parties that have done a walk-through. He continued to state that for an environmental study the City has not conducted one and it would solely be up to any buyer. Mr. Gambosi stated that when US Bank was there the number of employees at they had was 240 and the City received \$420,000.00 per year. Mr. Diederich stated that he was under the impression that there would be no real estate tax collected and Mr. Gambosi replied that the real estate would not be collected but income tax would be collected. Mr. Gambosi stated that the real estate would be a loss and at one time the property was worth seven and a half million when it was first built and it has dropped substantially in value over time. City Manager Mallis stated that regarding the 50 bullet points from the state the City did not receive or request and what some of the bullet points were is that they wanted to be Cuyahoga County, minimal impact on the 300 employees, a secluded space, and a space with a natural buffer were some of the bullet points. Mr. Diederich stated that it does not look like an isolated location, which would be an appropriate location for a juvenile facility of that nature. He stated that there is not a lot of isolation which is not the case Mayor Koci stated at their current location. City Manager Mallis stated that if you go onto the county's website there is a residential street on one side of the property at their current location and that he did check the property values and that it did range in value. Mr. Diederich stated that Green Rd. is a relatively isolated area, unlike Rockside Rd., his concern is the security of his neighborhood and the concern for the children in his neighborhood. He stated that he is concerned if the state does move in at the location that the warehouse that is next to it the owners may decide that if the state were to offer it that the state may buy that land and offer the state to extend giving that use available and inevitably by variance they would probably roll over and Mayor Koci stated that is in Maple Heights and the City has no control over them. Mr. Diederich stated that it affects everyone and the fact that there is a city line that really doesn't matter. Mayor Koci stated that if the property was available, which it's not, they could go across the street and build there and the City of Bedford would receive nothing from it. Mr. Diederich asked what the City gets from it now and Mayor Koci replied \$400,000.00 that's not what we based our decision on and we haven't made a decision. Mr. Diederich asked what are they basing their decision on, what is the goal, and what does the City gain in that area. City Manager Mallis stated that the income tax figures that the City received from the state aren't \$35,000.00 a year jobs, they are highly educated, highly paid state employees. He also stated that he is not here to debate this and that no matter what he says might not be the right answer but that he is giving Mr. Diederich an answer. City Manager Mallis stated that they have 300 people who may need their car serviced, or they need a new car, or get something to eat, these may not be the exact reason and that he is giving Mr. Diederich some, but is there stability to the property, yes there is. City Manager Mallis stated that from a stability standpoint the state has been at the same location for 50 years and that a decision hasn't been made, but that he is giving Mr. Diederich some of the pieces that play into a decision. Mr. Diederich stated that he found

out about this accidentally and at any point that next time a Bedford newsletter goes out on it to tell him how much he has to pay on his water bill that month, would there be anything going out to the residents to explain that what is going to happen, when it is planned and when a decision will be made because he didn't see it. He stated that there is a reason a piece of paper could be sent explaining what may be happening. Mr. Gambosi stated that the whole presentation is available online and the state explained from their point of view why they wanted to improve their facilities, the one location is outdated, they wanted an expansion and that he thinks that they should cap it and hold them to it, and the new facility will be structured. He continued to state that the state's track record is good and it has to be continued at the new facility, but what they are also trying to do is to improve the lives of those people as well. City Manager Mallis stated that some of Mr. Diederich's points are the exact points that the City brought up from day one, he has the utmost confidence and respect for the City's Police Chief as well as the leadership team, and he has had extensive conversations with each of the Police Chief's within those communities and within the neighboring communities and all of them have had zero concerns and one consistent reply was that they didn't even know that they were there and that they operate within their facility. He stated that the City is still requesting some information and that the City has received the facility's most recent audit, which was a vigorous inspection and they met 100% of the criteria and were accredited. He continued to state that it is not run by Cuyahoga County and the City is trying to get as much information as possible to make sure that there is an informed decision. He stated that it was an operational audit. Mr. Diederich inquired if there will be a phase 1 or phase 2 will be done on that property and Mayor Koci replied that they will do everything necessary. City Manager Mallis stated that the City is not involved in any of their due diligence it would be on them. Mr. Diederich inquired if they are required to do it before and City Manager Mallis replied that it is up to them and the City is not involved in their purchase agreement and that he has no idea about the conditions or restrictions. Mayor Koci stated that is why the City had a public meeting so that everyone could hear about it, the City put it online and the City didn't hide anything from anyone. He stated that the state came in with the number one person from the juvenile program they gave the City all the information and answered every question, and they have to go to the Planning Commission Meeting tomorrow. He stated that if there are other criteria they have to meet them it ultimately comes to Council to have the final word and Council. City Manager Mallis stated that the City does not have any legal standing to order someone to do a phase 1 or phase 2 with a private transaction. Mr. Diederich asked what is the step after the Planning Commission and Mayor Koci replied that they don't know until the Planning Commission decides. Mr. Diederich stated that if the Planning Commission approves it and the Mayor replied that they don't know because the Planning Commission could put some stipulations on and when they know it will be out there. Mr. Diederich stated that if they didn't put stipulations through the Planning Commission Mayor Koci replied that if the Planning Commission passed it and then Council got it and approved it. Mayor Koci stated that they do what is in the best interest of the City. Mr. Diederich stated that he feels he's been in the dark about a lot of this and that he doesn't know what is going to happen and that he wants to know what the steps are. City Manager Mallis stated that there is a Planning Commission Meeting tomorrow and if everything is passed it goes to City Council on the next agenda. He stated that many things can change City Council could table it, they could ask more questions, could deny it, or they could pass it. He stated that if it passes there is probably a year to eighteen months of planning, then there is an estimated two to three years of construction. He stated that if everything went according to plan it would open in 2026. Mr.

Diederich stated that he is only interested in what happens next after the Planning Commission Meeting tomorrow and wants to know what the flow is and Mayor Koci replied that they don't know until the Planning Commission makes a decision.

Jay Watson, 40 Berwyn Dr., wants to get an idea of the process that the City goes by in identifying the need to address property for grass cutting, and City Manager Mallis replied that right now the City's two inspectors are going around identifying properties and if a property has not been on the City's previous list, those properties get a notice posted to the home. He continued by stating that a follow-up by legally giving 72 hours for the property to have the lawn addressed and after that the City is able to then have the grass cut, and then it is assessed. He stated that there are before and after photos with a measuring stick in them in case there is a dispute. He also stated that the City has been down an inspector for about fifteen months and that the pool of Building Officials is shrinking. He stated that the process is the City has to send out a notice, give a timeline to address it, and it is automatically put in the system for a follow-up. He stated that if it is not addressed within the timeline the property owner is sent a final notice, it will have a shortened time period and automatically in the system, and if it is still not addressed then they are officially sited, and then to the Bedford Municipal Court. He stated that at that stage the City is not involved and it is addressed by the judge. Mr. Watson stated that it's not encouraging to hear that the City doesn't have the staff to go out and do those inspections, and hopes that it can be resolved very soon. He stated that he has noticed that there are lawn services that come into the community and they throw all of the grass out into the street and inquired if something can be done about it and Mayor Koci replied that there is an ordinance regarding that and if the police see them they can take action. Mr. Watson stated that he does not see the police in his neighborhood. He also stated that his neighbor has parked their transporter in their yard covering up the sidewalk and right in front of the stop sign, it was there for three days and the police did not tag it. He stated that he has gone to the Police Department to let them know that it is there and that he would like to have the police see this happening and catch them. He stated that he appreciated the snow removal service this past winter and they did a great job, they addressed the main roads in a timely manner. He stated that there are properties where the hedges are also a concern and that commercially there is a struggle for office space, he has seen some data where the property in Bedford is becoming more and more rentals. He stated that he has seen a few houses in his neighborhood where the property is managed by independent people who do not live in the neighborhood and it is a sad state of a fair. He suggested that maybe Council Members walk their neighborhoods and let them know what is expected of them as a person who lives in the home and who is also a renter. He stated that between Berwyn Dr. and Northfield Rd. a sign was recently put up that flashes your speed and he inquired about what initiated that City Manager Mallis replied that the City has a number of them and some are permanently up and there are others that are being moved around throughout the City and its collecting data. City Manager Mallis continued to state that it helps the City to collect data and look for areas that are speed issues and may need attention. He stated that a lot of it is for traffic enforcement and patrols. Mr. Watson stated that people are speeding in the school limits when the lights are flashing and that on Northfield Rd. when the light is red people are still going through it, and it is happening more and more where cars are making the rules up as they go. City Manager Mallis stated that it is not just a problem in the City of Bedford and that there are a lot of communities that don't chase and there is a concern about it. He stated that traffic safety is a concern and that he along with the Police Chief and Assistant Police Chief have had

discussions on further ideas and that they hope to make some announcements over the next couple of months on things that they are looking to do instead of just doing the status quo. City Manager Mallis stated that the insurance that the City works with this is the first year that they have seen a direct result in seeing a lot of claims come in uninsured and the City has to cover those costs. He stated that this year during the renewal process it was the first year that the line item has gone up for all municipalities, due to the number of individuals who don't have insurance. Mr. Watson stated that some type of action needs to happen and that he doesn't have a solution for it, and he is a concerned citizen for all of it. He stated that he hopes the City will find some tools that at least let people know that Bedford will nail you and you will get stopped in Bedford. He stated that visibility is at least a beginning to letting people know that the City is looking at them. He stated that there are a lot of cars parked in the yards versus the driveway, but if the law says that they can't park all over the grass it's the law.

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

Meeting adjourned at 10:24 P.M.


Clerk of Council


Mayor-President of Council

Date: June 6, 2022