

Bedford City Council met in a Work Session at Bedford City Hall on Monday, July 5, 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 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), Mayor Koci stated that may call to have a Special Meeting with Council and to have the option to pass it or not to pass it.

Ordinance No. 9978-22: levying assessment for garbage/refuse collection, recycling and disposal, Mr. Gambosi stated that this is the assessment and that there are substantial increases in the rates.

Ordinance No. 9983-22: TIF Agreement, City Manager Mallis requested that this be placed on First Reading this evening to have the schools pass it first.

Resolution No. 2586-22: declaring the necessity for Garbage & Refuse Assessments, Mr. Gambosi stated that when the City assesses the fees for the units, it is split up into two payments throughout the year

Ordinance No. 9985-22: amending Section 915.02 Garbage & Refuse Fees, Mr. Montello stated that this is amending the Codified Ordinances for Ordinance 915.02.

Ordinance No. 9986-22: proposed amendment to Article II, Section 1 (c) of the Charter, Ordinance No. 9987-22: proposed amendment to Article II, Section 2 of the Charter, Ordinance No. 9988-22: proposed amendment to Article II, Section 4 of the Charter, Ordinance No. 9989-22: proposed amendment to Article V, Section 2 & Section 3 of the Charter, Ordinance No. 9990-22: proposed amendment to Article XI, Section 1 & Section 3 of the Charter, Ordinance No. 9991-22: proposed amendment to Article VI, Section 1, Section 2, and Section 3 of the Charter, Ordinance No. 9992-22: proposed amendment to Article XIII, Section 4 of the Charter, and Ordinance No. 9995-22: proposed amendment to Article X, Section 2 of the Charter

Ordinance No. 9996-22: amending Ordinance No. 9914-21 making additional Appropriations

Ordinance No. 9997-22: five-year contract w/Julian & Grube, Inc. Auditor of State

Ordinance No. 9998-22: contract with Gardiner

Ordinance No. 9999-22: contract with United Survey, Inc.

Ordinance No. 10,000-22: a contract for Asphalt Surface Recycling w/Angelo Benedetti

Motion to authorize the Law Director John J Montello and the Clerk of Council Tracy Simons to act on behalf of the City of Bedford for the Public Records training and Ohio Sunshine Law requirements.

Motion to accept the June 7, 2022 recommendations of the TIRC.

Discussion of the Regular Meeting agenda was concluded.

Mayor Koci began the discussion of the 2022 State of The City,

Discussion of the 2022 State of The City was concluded.

Motion made by Spinks and seconded by Fluharty to go into an Executive Session to discuss Economic Development: 17500 Rockside Road, TCCP, Capital Budget, and Personnel: Status of Open Positions and Fire Department. The roll was called. Vote – Yeas: Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Adjourned into Executive Session at 7:35 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, and Asbury. Nays: None. Motion carried unanimously.

Adjourned out of Executive Session at 7:59 p.m.

Work Session adjourned at 7:30 p.m.


Clerk of Council


Mayor/President of Council

Date: July 5, 2022

Bedford City Council met in a Regular Session at Bedford City Hall on Monday, June 6, 2022. Mayor Koci called the meeting to order at 8:00 P.M.

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

Motion made by Asbury and seconded by Saunders to remove the minutes of the Regular Meeting of May 16, 2022, from the agenda. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Abstain: None. Motion carried unanimously.

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

Motion made by Asbury and seconded by Smith to approve minutes of the Work Session Meeting of May 16, 2022. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Abstain: None. Motion carried unanimously.

Motion made by Fluharty and seconded by Spinks to approve the minutes of the Public Hearing Meeting of May 16, 2022. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Abstain: None. Motion carried unanimously.

Motion made by Asbury and seconded by Saunders to amend the agenda to move item (q) under New Business before item (a) under New Business. The roll was called. Vote – Yeas: None. Nays: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Motion carried unanimously.

Mr. Montello suggested amending the motion to have item (q) as the first item under Old Business.

Motion made by Spinks and seconded by Fluharty to amend the agenda to move item (q) under New Business before item (a) under Old Business. The roll was called. Vote – Yeas: None. Nays: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Motion carried unanimously.

Motion made by Asbury and seconded by Smith to approve the Planning Commission's decision to grant The State of Ohio, Department of Youth Services a special use permit to allow the site located at 17500 Rockside Rd. Bedford, OH 44146 (former US Bank building) to be used as a Juvenile Correctional Facility. The facility operations will include administrative offices, support services, a high school, and housing for 96-120 youth. In addition to academic learning, vocational training, life skills programs and college courses will be offered. The facility will offer behavioral health, recreation, religious services, healthcare, and re-entry services. The center will be operated 24 hours a day, 7 days a week. An amendment to include the number of youth at the location not to exceed 120 now and of any future acquisition of property with the City of Bedford or outside the City of Bedford, along with a second addition to be site-specific if

approved should not apply to any other I-Zoning or any other zoning of that matter in the City of Bedford's Building Code.

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

Mayor Koci stated that based on Council's decision the City's restrictions and the State's concern with those restrictions, in addition to the best uses in the zoning district. Mayor Koci also stated that the City Manager will contact the state first thing in the morning to clarify.

Mr. Montello stated that the motion failed, and it is not happening at this time.

Eboni Dickerson, Branch Manager for the Bedford Library stated that on the third Wednesday of every month they have a mobile pantry from 1:30 p.m. to 3:30 p.m. during the summer and the last mobile pantry will be in September. She also stated that the library offers computer classes or any needs that the residents need. Mr. Montello asked if they have COVID tests and Ms. Dickerson replied that they do not have them right now, but that they do get them every couple of weeks. She stated to check-in and that they will also have a sign in front of the building stating that they have them as well.

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 is 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 Spinks and seconded by Fluharty to suspend the rule requiring the reading of said resolution 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 Resolution No. 2581-22 on third and final reading and passed.

Mr. Gambosi stated that every year the County Auditor asks the City to respond to them in regard to any advances as they collect the tax proceeds for real estate, when they do an accumulation of it they can pay the City's earlier on the advances of taxes. He stated that if it isn't passed then the City would have to wait until the final settlements. He stated that in passing the advances would allow the City to get collect and pay for bills as we go verses waiting for the final settlements that happen six months later.

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

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

Motion made by Fluharty and seconded by Spinks to place Resolution No. 2582-22 on third and final reading and passed.

Mr. Gambosi stated that this is the beginning of the budget process for 2023, and it starts off with a Tax Budget adopted by Council, which will allow for the property tax rate to be set by the County Auditor/Fiscal Officer. He stated that Local Government Revenue Assistance Funds are being allowed to be paid to the City as well as obtain a Certificate of Estimated Resources, which limits the amount of money that Council appropriate later this year. He stated that the Tax Budget does not appropriate any money for the coming year and it has to be filed with the County Auditor in a timely manner.

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

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 Spinks and seconded by Fluharty to suspend the rule requiring the reading of said resolution 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 Smith and seconded by Asbury to place Resolution No. 2583-22 on third and final reading and passed.

Mr. Gambosi stated that this resolution in line with the two ordinances go together in line with the street lighting assessment, and NOPEC has come up with a rate structure that will reduce the amounts that the City is paying in the future. He also stated that the City was able to drop millage from \$1.5 Mills to \$1.4 Mills this with valuation increases will keep things in line with what the City has been collecting and able to afford the payments for electric bills and street lighting, and traffic signals.

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

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 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 Smith and seconded by Asbury to place Ordinance No. 9970-22 on third and final reading and passed.

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

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 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 Genutis and seconded by Fluharty to place Ordinance No. 9971-22 on third and final reading and passed.

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

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

Motion made by Asbury and seconded by Saunders to place Resolution No. 2585-22 on third and final reading and passed.

Mayor Koci stated that Council will defeat this tonight, there has been more information, and that the City requested that representatives from Power of Clean Future Ohio be here this evening they were unable to attend. He stated that there are other issues that the City needs to look into.

The roll was called. Vote – Yeas: None. Nays: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Abstain: 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 Genutis and seconded by Fluharty to place Ordinance No. 9978-22 on Second Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

City Manager Michael Mallis stated that in regards to the Broadway Waterline Project the contractor will be adding a second crew for the evening work. He stated that by adding the second crew the City hopes that it will be done within the next two to three weeks. He stated that the Administration met last week to discuss the roadways and waterline projects for 2022, and the City is optimistic that the City will be in a position to go out to bid for a couple of waterline replacements. He stated that the City is looking to see the feasibility of getting it completed by the end of the year as well as the road program. He continued to state that the City has identified some roads that they intend to go out to bid for within the next month or so to get the project going. He thanked everyone who participated in the Memorial Day Ceremonies. He stated that if anyone is interested in participating the July 4th parade the applications are available online and they are due by Monday, June 13, 2022. He stated that the summer concert series will be starting this Wednesday, June 8th and it will be every other week down at the commons. He stated that the bands for the summer concert series are posted on the City's website under the Events tab. He stated that he and the Finance Department will be participating in the Annual Tax Incentive Review Meeting tomorrow and there they will sit down with School Officials and Cuyahoga County to review all of the current tax abatements for the businesses in the community. He stated that at that point they will make a recommendation to either extend, modify, or expire those tax abatements and they will be presented to City Council for a formal vote later this summer. He stated that the City has been working to obtain funds for a project to connect the Bedford Reservations with Downtown, and last year the City was successful in receiving a NOACA Grant. He stated that for the NOACA grant there is a study that needs to be completed and the City has to complete that study in order to apply for construction money. He stated that the City was awarded for Step 1 and NOACA will be putting out a scope of work and they will be soliciting contractors to help do the study. He stated that there will be public input and input from the Administration and that the City hopes to have it completed within the next twelve to eighteen months. He stated that the City hopes to have a finished product next year which will then allow the City to apply for construction money.

That concluded the City Manager's report.

Law Director John Montello had no report this evening.

That concluded the Law Director's report.

Finance Director Frank Gambosi stated that the Tax Department will be doing a program on non-filers, so if you get a call for any reason the City is cleaning up their records on who hasn't filed and making sure what the reasons may be. He wished everyone a Happy 4th of July.

That concluded the Finance Director's report.

Councilman Genutis stated the situation with the State of Ohio Department of Youth Services and what they are intending. He stated that a prison in the City of Bedford does not sound good on any level. He stated that it comes down to how you frame it and the real concerns that you may be having deep inside about it, is it the sense of real estate value, is it that there is a concern for crime and potential violence, is it the City's sense of pride? He stated that he is unsure how to feel about it, and that speaking for himself that each Council Member is torn about it for the very reason that people are going to think about it initially. He stated that the tax dollars are not the deciding factor and that there is a stigma attached to these things and if the facility was in a prominent location, on the main road, or highly visible from the street instead of in a secure and wooded area of course Council wouldn't be considering it. He stated that if they truly believed there was really something to fear or a danger to the resident's Council wouldn't be considering it. He stated that Council has taken a hard look at the 50-year history of the current facility along with the other facilities in the state with the findings and recommendations from the City's Police and Fire Chiefs. He stated that there is another factor that is very easy to overlook in a situation like this concern those kids, some of whom are only fifteen years old, whose lives have been ruined by their bad decision. He stated that it is most likely stemming from the very dismal circumstances of their lives, no father, beaten, growing up in a crime-ridden environment, or whatever has taken to them to where they are today. He stated that the Ohio Department of Youth Services is not meaning to simply operate a prison here, it would be prudent to check their website to understand what it is that they mean to accomplish using highly trained, highly educated staffing, programs, and initiatives. He stated that the state has no intention of merely releasing criminals back onto the streets. He stated that there are three staff members for every kid and that the vast majority of the people scarcely know that the Highland Heights Facility is even there. He stated that the state cannot provide for the needs of those kids any longer. He stated that the dorm-style facilities are without outside access and the state wants the kids to be able to be outside and participate in sports, vocational training, and gardening, and for each kid to have their own room. He stated that it would be a brand new facility with state-of-the-art security; however, here in Bedford a place to make it all happen that is not being for anything else and with limited interest in the property for a number of years. He stated that there are some other matters that need to be addressed in order for him to be comfortable with it some other things that the City talked about and needed to have acceptance from the State, which hasn't happened as of yet. He stated that it is possibly more to this than what happened today.

Councilman Fluharty wished everyone a Happy 4th of July.

Councilman Smith wished everyone a Happy 4th of July. He inquired if the City is in a contract regarding the sinkhole on Cork Hill. City Manager Mallis replied that they did contract with Fabrizi and that he will get a timeline as to when it will start. He stated that they will work on the necessary repairs and then address the backfill on it.

Councilman Asbury congratulated the 2022 graduates from Bedford High School. He stated that the Bedford Downtown Alliance First Friday for July will be on July 1st from 6:00 p.m. – 8:00 p.m. and the theme is Spirit of Bedford. He also thanked the Service Department for patching a

lot of the potholes in the past couple of weeks. He stated that Crave Café is a nice little Ice Cream Shop that opened up downtown on Saturday. He stated to call and get on the July chipper service and it will be the week of July 5th thru the 8th.

Councilman Saunders wished everyone a Happy 4th of July. He stated that the parade is back this year and it will be down Columbus Rd. He inquired if the City got the new stump grinder and City Manager Mallis replied that yes they did. Councilman Saunders stated that there are a lot of stumps on the tree lawns and some of the residents would like to redo their tree lawns. City Manager Mallis stated that there is a long list. Councilman Saunders stated that they did start taking down some of the diseased Maple Trees. He inquired if they were done planting trees for the year and City Manager Mallis replied that they are done until the fall. He stated that the City planted 58 trees this spring and another 40 plus trees will be planted in the fall.

Mayor Koci stated that the City had a really good Memorial Day Parade this year. He stated that the speaker that they had this year was the best in years and if you would like to see the speech visit the City's YouTube page. He thanked the staff down at the cemetery for the wonderful job that they did and for having speakers for everyone to hear. He also thanked the City crew that take care of the commons it looked wonderful.

Councilwoman Spinks stated that the Strawberry Festival is this weekend it starts on Friday from 6:00 p.m. to 11:00 p.m. and Cross Town Traffic Band will be playing all kinds of music from 7:00 p.m. – 11:00 p.m. on Friday night. She stated that bands will start playing on Saturday from noon to 11:00 p.m. She stated that there will be a lot of great local bands playing and lots of strawberries. She stated that there will be a DJ all day on Sunday. She stated that there will not be a car show this year at the festival. She stated that the speeding has gotten out of control on Willard Ave. and asked if they could at least get the sign back up because it did help. She also wanted to know if they could go back and research more about the speed bumps because there are other cities in Ohio that have removable speed bumps. She stated that there has to be something that the City can do to slow speeders down. She congratulated the 2022 graduates from Bedford High School.

That concluded Council's report.

ORDINANCE NO. 9981-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER AN AGREEMENT WITH THE BEDFORD CITY SCHOOL DISTRICT TO PAY CERTAIN SUMS TO THE DISTRICT TO PROMOTE THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY AND THE SCHOOL DISTRICT AND DECLARING AN EMERGENCY was read by title only. Motion made by Fluharty and seconded by Spinks to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Asbury to place Ordinance No. 9981-22 on third and final reading and passed.

City Manager Mallis stated that this piece of legislation along with the next one are tax sharing agreements with the Bedford City School District. He stated that the City enters into these agreements when they provide tax abatements over 50%, which the School Board will have to sign off on to businesses. He stated that APEC is an engineering company that is taking over and putting a substantial investment into the old YMCA. He also stated that they will be relocating and adding employees to that site. He stated that Bartlett LLC is going to be a construction of a new Honda Dealership at the corner of Bartlett Rd. and Rockside Rd. He stated that both of these tax abatements City Council previously approved and now the City enters into a tax sharing with the Bedford City Schools. He stated that by law if the City doesn't enter into these agreements the City is required to split 50% of the income tax of anything over a million dollars, which is why the City enters into these agreements and they negotiate the percentage down to 15%. He stated that the City will enter into the tax sharing agreement where the City will be required to provide 15% based off of their tax collections to the Bedford City School District, in compensation of supporting the tax abatement.

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

ORDINANCE NO. 9982-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER AN AGREEMENT WITH THE BEDFORD CITY SCHOOL DISTRICT TO PAY CERTAIN SUMS TO THE DISTRICT TO PROMOTE THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY AND THE SCHOOL DISTRICT 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 Spinks and seconded by Fluharty to place Ordinance No. 9982-22 on third and final reading and passed.

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

ORDINANCE NO. 9983-22: AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN REAL PROPERTY WITHIN THE CITY OF BEDFORD, OHIO TO BE A PUBLIC PURPOSE; DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING ANNUAL STATUTORY SERVICE PAYMENTS IN LIEU OF TAXES; CREATING AN URBAN REDEVELOPMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH STATUTORY SERVICE PAYMENTS; AUTHORIZING THE EXECUTION OF SERVICE AGREEMENTS AND A COOPERATIVE AGREEMENT; AND DECLARING AN EMERGENCY was read by title only. Motion made by Saunders and seconded by Smith to place Ordinance No. 9983-22 on First Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9984-22: BEING AN ORDINANCE ADOPTING A JOB CREATION AND RETENTION PROGRAM GRANT BY THE CITY OF BEDFORD TO XELLIA PHARMACEUTICALS USA LLC 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 Asbury and seconded by Saunders to place Ordinance No. 9984-22 on third and final reading and passed.

Mr. Gambosi stated that Xellia Corporation Pharmaceuticals has become one of the City's major taxpayers and with the way that they have been performing they have not come to the City with any business incentives. He stated that this is the first time the City will be offering it to them. He stated that Xellia anticipate an expansion this year and they are looking to add 75 more jobs and that they are looking to expand in the future as well. He stated that this is to be incentivizing them to continue their efforts to improve and expand in the City of Bedford and the City feels that it will go a long way with the company.

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

RESOLUTION NO. 2586-22: A RESOLUTION DECLARING THE NECESSITY OF ASSESSING THE EXPENSE OF GARBAGE/REFUSE COLLECTION, RECYCLING, AND DISPOSAL WITHIN THE CITY OF BEDFORD AND CERTIFYING TO THE COUNTY AUDITOR THE COSTS DUE TO THE CITY OF BEDFORD FOR GARBAGE AND RUBBISH COLLECTIONS AND DECLARING AN EMERGENCY was read by title only. Motion made by Fluharty and seconded by Spinks to place Resolution No. 2586-22 on First Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9985-22: AN ORDINANCE AMENDING CODIFIED ORDINANCE 915.02 ENTITLED "GARBAGE AND REFUSE" AND DECLARING AN EMERGENCY was read by title only. Motion made by Smith and seconded by Asbury to place Ordinance No. 9985-22 on First Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

RESOLUTION NO. 2587-22: A RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE CITY OF BEDFORD ON BEHALF OF THE STATE OF OHIO (THE BORROWER) TO REIMBURSE ITS (403) CAPITAL PROJECTS FUND FOR THE YEAR 2022, UNION STREET IMPROVEMENT WITH THE PROCEEDS OF TAX-EXEMPT DEBT OF THE STATE OF OHIO 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, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

Motion made by Spinks and seconded by Fluharty to place Resolution No. 2587-22 on third and final reading and passed.

Mr. Gambosi stated that in Section 2 the number should be \$320,157.00 and the reason for this is to ask the State of Ohio and the Ohio Public Works Commission, who have offered the City two different loans with zero percent interest for twenty years and one of them being Union St. He stated that it allows the City to be reimbursed directly from the State of Ohio after the City pays the county for their portion of the project. He stated that later there will be one for Broadway Ave. and that program will be \$300,000.00 and a loan that they offered the City with zero interest for twenty years. He stated that way the City will be able to get reimbursed for the project.

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

ORDINANCE NO. 9986-22: AN ORDINANCE REQUIRING THE CLERK OF COUNCIL TO DELIVER TO THE CUYAHOGA COUNTY BOARD OF ELECTIONS A PROPOSED AMENDMENT TO ARTICLE II, SECTION 1 (c) OF THE CHARTER OF THE CITY OF BEDFORD REGARDING EQUALIZATION OF WARDS TO BE SUBMITTED TO THE ELECTORS AT THE NOVEMBER 8, 2022 MUNICIPAL ELECTION AND DECLARING AN EMERGENCY was read by title only. Motion made by Saunders and seconded by Smith to place Ordinance No. 9986-22 on First Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9987-22: AN ORDINANCE REQUIRING THE CLERK OF COUNCIL TO DELIVER TO THE CUYAHOGA COUNTY BOARD OF ELECTIONS A PROPOSED AMENDMENT TO ARTICLE II, SECTION 2 OF THE CHARTER OF THE CITY OF BEDFORD REGARDING QUALIFICATIONS OF COUNCIL MEMBERS TO BE SUBMITTED TO THE ELECTORS AT THE NOVEMBER 8, 2022 MUNICIPAL ELECTION AND DECLARING AN EMERGENCY was read by title only. Motion made by Fluharty and seconded by Spinks to place Ordinance No. 9987-22 on First Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9988-22: AN ORDINANCE REQUIRING THE CLERK OF COUNCIL TO DELIVER TO THE CUYAHOGA COUNTY BOARD OF ELECTIONS A PROPOSED AMENDMENT TO ARTICLE II, SECTION 4 OF THE CHARTER OF THE CITY OF BEDFORD REGARDING COUNCIL VACANCIES TO BE SUBMITTED TO THE ELECTORS AT THE NOVEMBER 8, 2022 MUNICIPAL ELECTION AND DECLARING AN EMERGENCY was read by title only. Motion made by Genutis and seconded by Spinks to place Ordinance No. 9988-22 on First Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9989-22: AN ORDINANCE REQUIRING THE CLERK OF COUNCIL TO DELIVER TO THE CUYAHOGA COUNTY BOARD OF ELECTIONS A PROPOSED AMENDMENT TO ARTICLE V, SECTION 2, AND SECTION 3 OF THE CHARTER OF THE CITY OF BEDFORD REGARDING BALLOTS AND PETITIONS FOR PLACES ON

BALLOT TO BE SUBMITTED TO THE ELECTORS AT THE NOVEMBER 8, 2022 MUNICIPAL ELECTION AND DECLARING AN EMERGENCY was read by title only. Motion made by Saunders and seconded by Asbury to place Ordinance No. 9989-22 on First Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9990-22: AN ORDINANCE REQUIRING THE CLERK OF COUNCIL TO DELIVER TO THE CUYAHOGA COUNTY BOARD OF ELECTIONS A PROPOSED AMENDMENT TO ARTICLE XI, SECTION 1 AND SECTION 3 OF THE CHARTER OF THE CITY OF BEDFORD REGARDING APPROPRIATION OF PROPERTY TO BE SUBMITTED TO THE ELECTORS AT THE NOVEMBER 8, 2022 MUNICIPAL ELECTION AND DECLARING AN EMERGENCY was read by title only. Motion made by Spinks and seconded by Genutis to place Ordinance No. 9990-22 on First Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9991-22: AN ORDINANCE REQUIRING THE CLERK OF COUNCIL TO DELIVER TO THE CUYAHOGA COUNTY BOARD OF ELECTIONS A PROPOSED AMENDMENT TO ARTICLE VI, SECTION 1, SECTION 2 AND SECTION 4 OF THE CHARTER OF THE CITY OF BEDFORD REGARDING INITIATIVE, REFERENDUM AND RECALL TO BE SUBMITTED TO THE ELECTORS AT THE NOVEMBER 8, 2022 MUNICIPAL ELECTION AND DECLARING AN EMERGENCY was read by title only. Motion made by Smith and seconded by Asbury to place Ordinance No. 9991-22 on First Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9992-22: AN ORDINANCE REQUIRING THE CLERK OF COUNCIL TO DELIVER TO THE CUYAHOGA COUNTY BOARD OF ELECTIONS A PROPOSED AMENDMENT TO ARTICLE XIII, SECTION 4 OF THE CHARTER OF THE CITY OF BEDFORD REGARDING AMENDMENT TO BE SUBMITTED TO THE ELECTORS AT THE NOVEMBER 8, 2022 MUNICIPAL ELECTION AND DECLARING AN EMERGENCY was read by title only. Motion made by Fluharty and seconded by Genutis to place Ordinance No. 9992-22 on First Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Smith, Asbury, and Saunders. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9993-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MES/ WARREN FIRE EQUIPMENT FOR A FIRE HOSE 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 Spinks and seconded by Fluharty to place Ordinance No. 9993-22 on third and final reading and passed.

City Manager Mallis stated that MES/Warren Fire Equipment is a sole source provider for this and there are thirty-six components and the City is replacing multiple hoses not just one hose.

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

ORDINANCE NO. 9994-22: AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ULTRA POLYMERS, INC. FOR THE PURCHASE OF ULTRA POLY ONE COAT FOR THE MUNICIPAL POOL, 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 Asbury and seconded by Saunders to place Ordinance No. 9994-22 on third and final reading and passed.

City Manager Mallis stated that Ultra Polymers is the sole source provider for the epoxy. He stated that the initial epoxy is no longer available and the City did receive somewhat comparable paints, two were from Sherwin Williams. He stated that the process would have been more expensive and for those two products, the warranty was six years and eight years. He stated that Ultra Polymers' warranty is fifteen years.

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.

Ralph King, 107 Woodrow Ave., Bedford, OH thanked Council for voting down the youth prison. He stated that in regards to Councilman Genutis' comment that it really isn't an out-of-the-way location. He stated that the residents on Palmetto Ave. will be able to see it when the leaves are gone. He inquired about how long has the City been looking at the redistricting and Mayor Koci replied a few months. Mr. King stated that it is on the Second Reading and that it was Tabled again tonight and Mayor Koci replied that some questions have come up. Mr. King stated that with the new Council Member he believes that they would have to run in the upcoming election and he wanted to know when Council planned on passing it because it will affect the boundaries? He stated that it doesn't make sense that Council has had it for so long when it was put on two readings and all of a sudden questions pop up and Mayor Koci replied that none of it will affect until January 1st. Mr. King asked if it would affect any of the wards for this upcoming election. He asked if it would be passed at the next meeting and Mayor Koci replied that they hope to.

Tina Stradia, 51 Elm St., Bedford, OH thanked Ms. Diakandru and Ms. Prochazka in the Tax Department for being very helpful and sweet every time. She thanked a number of residents for making their yards look really nice and that Bedford is a beautiful place to live. She stated that

the lifeguard certification classes are going on and that they are planning on offering swimming lessons for the kids. She stated that these are a lot of things that other communities do not have and Bedford is blessed to have a pool that is safe, looks good, and is very well managed. She thanked City Manager Mallis for working on some quotes for trash bins for the City to keep things looking good.

Robert Diederich, 137 Santin Circle, Bedford, OH thanked Council for considering the decisions made on the state institution. He stated that was under the City's Codified Ordinance and it is equivalent to Federal Law. He stated that not following that law is equivalent to simply not having a law and we should be thankful that as a City we have the authority to maintain it and the issues that arose here were most important were the zoning and the initial zoning was initially to be prohibiting dwellings on that and prohibiting that weren't part of that state program. He continued to state that it is a great program but it did not fit in the location because of the zoning itself. He stated that he didn't feel it was appropriate to bend the rules on it. He stated that these kinds of institutions. He stated that what is planned there is the right thing to do, but unfortunately in a place that was incorrect. Councilman Genutis stated that the State thought that it was a wonderful spot. Mr. Diederich stated that his view towards it was really when he looked through the law and he is very serious about the law, it's the law that keeps us separate from so many other countries in the world. He stated that it's the law that makes a city rather than a lot of land that the state can decide. He stated that we run our own business and that it's important for everyone to know that, to be aware of it, and to appreciate the fact that we have the authority and the right to choose the people who can represent the areas for that reason. He continued to state to follow what the requests and interests are. He stated that in that situation the State facility went through a study and one of the most common views on it was fear of crime and things of that sort. He stated that it is important that we have zoning so that we can find a place for them and it's part of having a strategic plan and without that zoning, our strategic plan is simply useless on it.

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

Meeting adjourned at 9:07 P.M.


Clerk of Council


Mayor-President of Council

Date: July 5, 2022