

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

Present: Council Members: Mayor Stan Koci, Sandy Spinks, Walter Genutis, Victor Fluharty, Frank Smith, Jeff Asbury, and Donald Saunders. Absent: None. Also Present: Clerk of Council Tracy Simons. Administration: City Manager Michael Mallis, Law Director John Montello, Assistant Finance Director Jennifer Howland. Absent: None.

• **DISCUSSION OF AGENDA**

Ordinance No. 10,011-22: City Manager Mallis stated that this it to remove the chemicals down at the Wastewater Treatment Plant.

Ordinance No. 10,012-22: City Manager Mallis indicated the various overflows and there are six inactive. OPEA requires the City to add ten additional overflows. In early fall the early spring for the heavy rain fall.

Ordinance No. 10,013-22: Mrs. Howland stated:

General Fund: The increases (decreases) in appropriations for 2022 in the general fund are for the following purposes:

- In the recreation department, (\$21,970) decrease in Youth Sports (personal services) budget and \$21,970 increase in professional services (other) budget since the recreation department has outsourced most of youth sports activities to outside vendors.
- \$3,500 increase for building department bank fees due to increased receipts from credit cards taken through citizen serve.
- \$2,216.75 increase for auditor and treasurer fees associated with property tax receipts.
- Increase Municipal Complex equipment by \$12,988 and \$900 for the Muni-complex (court) rooftop compressors and warranty.
- Advancing \$222 to the Northfield/ Rockside fund for legal fees.

Fund 201 First Suburbs Consortium (FSC):

- \$25,000 increase for CCLRC Single Family Zoning Phase 2 project. Funding is coming from the County Land Bank.

Fund 205 SEALE Fund:

- \$522,305.45 increase for the SEALE 2021/2022 Drug LEF Grant.

Fund 209 Street M & R Fund: \$27,135 increase for street maintenance for the painting of downtown and Tinkers Creek Commerce Park streetlights.

Fund 403 Capital Projects Fund: \$60,000 increase for the sale of Tinkers Creek Commerce Park (\$40,000 for legal fees and \$20,000 for taxes owed).

Fund 500 Water Fund:

- \$3,130.18 increase for vehicles and equipment due to adding equipment to new vehicles and increased costs.
- \$1,261,282.50 increase for the Ennis and Harriman waterline Project.

Fund 501 Wastewater Fund:

- \$90,000 increase for the rental and maintenance costs associated with the SSO flow monitors. This cost is for \$1,490 per meter per month.
- \$29,316.18 increase for the disposal of chemicals before any hazardous conditions occur.

Ordinance No. 10,014-22: City Manager Mallis stated that the house had orders on it, there is no water, or electricity to it.

Ordinance No. 10,015-22: Mrs. Howland stated that this is for the Water Rates and that there is a 3% decrease.

Ordinance No. 10,016-22: Mrs. Howland stated that it is 30% discount to Senior citizens and the Permanently Disabled.

Ordinance No. 10,017-22: Mrs. Howland stated that this is for the Sewer rates and that they there is an increase of 4%.

Ordinance No. 10,018-22: Mrs. Simons stated that these are replacement pages for the Codified Ordinance Book and to the online website.

Ordinance No. 10,019-22: City Manager Mallis stated that this is a contract is with Sirna Construction.

Ordinance No. 10,020-22: City Manager Mallis stated that this is a contract with Walt Kuchanski for an emergency repair.

Ordinance No. 10,021-22: City Manager Mallis stated that this is a contract with Specialize Construction for crack sealing and that the bids came in and they are the best.

• **DISCUSSION OF BUDGET HEARING DATES:** City Manager Mallis suggested to have Budget Hearing Meetings start on October 3rd, 10th, 17th, 24, and on November 7th.

• **EXECUTIVE SESSION**

- **Economic Development:**
17500 Rockside Road
TCCP
- **Litigation:**
UH Bedford Medical Center
- **Personnel**
Civil Service Appointment

MOTION:	Motion made by Asbury and seconded by Sandy Spinks to adjourn into Executive Session.
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MOVER: Jeff Asbury
SECONDER: Sandy Spinks
RESULT: Pass [6 TO 0]
YEAS: Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:
ABSTAIN:

MOTION: Motion made by Genutis and seconded by Victory Fluharty to adjourn out of Executive Session.
MOVER: Walter Genutis
SECONDER: Victor Fluharty
RESULT: Pass [6 TO 0]
YEAS: Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:
ABSTAIN:

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: September 19, 2022



REGULAR MEETING

BEDFORD CITY COUNCIL

DATE: SEPTEMBER 06, 2022

AGENDA MINUTES

STATE OF OHIO
COUNTY OF CUYAHOGA
165 CENTER ROAD BEDFORD, OH 44146

TIME: 8:00 PM

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

MOTION:	Motion made by Asbury and seconded by Frank Smith to excuse Councilman Saunders.
MOVER:	Jeff Asbury
SECONDER:	Frank Smith
RESULT:	Pass [6 TO 0]
YEAS:	Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:	
ABSTAIN:	

4. APPROVAL OF MINUTES

- a. Approval of Minutes of the Work Session of July 5, 2022
- b. Approval of Minutes of the Regular Meeting of July 5, 2022
- c. Approval of Minutes of the Special Council Meeting of August 29, 2022

5. PRESENTATION

- a. Proclamation presentation to Frank Gambosi
- b. **Resolution No. 2589-22: A RESOLUTION APPOINTING JENNIFER HOWLAND AS FINANCE DIRECTOR OF THE CITY OF BEDFORD, ESTABLISHING COMPENSATION AND DECLARING AN EMERGENCY**
Was read by title only.

MOTION:	Motion made by Spinks and seconded by Walter Genutis to suspend the rules requiring the reading of said ordinance/resolution on three different days.
MOVER:	Sandy Spinks
SECONDER:	Walter Genutis
RESULT:	Pass [6 TO 0]
YEAS:	Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:	
ABSTAIN:	

MOTION:	Motion made by Fluharty and seconded by Sandy Spinks to place said ordinance/resolution on third and final reading.
MOVER:	Victor Fluharty
SECONDER:	Sandy Spinks
RESULT:	Pass [6 TO 0]
YEAS:	Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:	
ABSTAIN:	

- c. Swearing in Jennifer Howland as Finance Director
- d. Swearing of Police Officer Mike Saverko

6. OLD BUSINESS

7. REPORTS

a. City Manager

City Manager Mallis stated congratulated Officer Saverko on his appointment tonight and congratulate Mrs. Howland, and I look forward to working with you. I want to congratulate Mr. Gambosi. We've said over and over what you meant to the City all of City Hall all of our staff, I greatly appreciate everything you've done for us and everything you've taught us. You've put us all in a position to succeed, and we're forever grateful for that so don't be a stranger come to visit. We have our community shred day taking place next Saturday, September 17th here in the City Hall parking lot from 9:00 a.m. until noon. We will also be having a community garage sale taking place that day as well you can gather information on that on our website and social media. If you go ahead and register, simply make a phone call to the Building Department to provide your address, and we will include that on the list. I also wanted to thank some of the property owners up at Meadowbrook. We had actually started a few years ago some issues with truck parking, we were able to resolve that unfortunately, that issue came back earlier this year. For those of you that don't know the city does not have jurisdiction on the parking up there. We cannot order tows for a semi-truck or an abandoned car on private property. The responsibility of the

property owner if some citation would be given, we would be citing the property owner, so it was imperative that we work collectively with them to try to resolve that issue and I will say the property owners have been out they've been placing notices on some of those themselves and it did improve significantly early part of last week, and we'll continue to monitor that I just wanted to clarify there's some thought we're under the assumption that we can just go ahead and tow those vehicles we're unable to do that because it is on private property. I also want to mention that hydrant flushing did start this week we do have a lot of frequently asked questions, and a document uploaded on our website take a look at that, and that should take place over the next few weeks just wanted to commend the Building Department we had a couple of belated properties in town that we've been trying to address for some time well over two years. We made some headway with the assistance of the county, and bold 65 Talbot and 132 Greencroft were recently demolished there's still some cleanup work that has to take place, and that should be finished in the next couple of weeks. City Departments submitted their budgets for 2023 those were turned in last week. We're going to be meeting with Mrs. Howland and Ms. Chance, and I will be meeting with individual departments over the course of the next 10 to 15 days. We will be taking a red marker to that, cleaning that up, and ultimately proposing the overall budget to City Council starting in October. I also want to mention that as of last Friday there were zero solicitors registered in the city. So, for those of you that don't know we have energy companies that go around with the cable companies they're required to get a solicitor's permit through the Police Department. They have to provide their information, and we only issue so many at one given time. As of last Friday, our officers are made aware if you get a solicitor at your home please call us, and we'll come out, and they need to acquire that permit. If they're repeat offenders they could be cited. Be wary of that sometimes they try to lock you into a raid that will balloon and skyrocket so, it's helpful if we obviously are aware of any of those that are out there, please call we will respond. Lastly, I just wanted to provide a brief update. Unfortunately there's not so many details that we can get involved with regarding University Hospital and UH's decision to close Bedford hospital emergency room for those of you that followed in August we did file a temporary TRO, a permanent TRO, and a complaint through Cuyahoga County Common Police. The temporary we were not successful it's basically a restraining order stopping the closure. We were unsuccessful with the temporary although we're very grateful to Judge Gaul. He understands the importance of this, and he has all the parties are open to mediation that mediation began last Monday, obviously this is something that is very important to not only Bedford but it's very important to the southeast side of Cuyahoga County. The hospital serves over 100,000 people. There's a lot of seniors in our communities there are a lot of economically challenged in our communities. We have minorities in our communities and unfortunately, I think UH's decision in the facts of them over the course of a year. Meeting with the Mayor, myself Mrs. Howland, Mr. Gambosi many of us and they assured us on multiple occasions that that hospital was stable that that hospital was not closing. When directly questioned on the emergency room their comment was it is one of the busiest ER's in their system for them to turn around and just tell us that it's closing in 28 days and I've said it over and over again when it comes to emergency response is one of the most irresponsible decisions that I've seen

they've given these communities zero time to plan, and that is unacceptable, and it's why we've taken up this fight and why we're going to continue to fight. I wish we could get into more specifics, but you know as throughout mediation has expressed an interest that they are committed to the Region, and they're committed to working with Bedford, and our goal throughout this process is to hold them to their hands. I just wanted to mention one thing just for the public's knowledge not only did we file documents in Cuyahoga County Common Plea's Court, but we did also file formal complaints to HUD to Federal Health and Human Services Agency in Washington. They oversee Medicare and Medicaid division, which obviously with a large senior population those on Medicare and Medicaid. They go to this hospital it is a concern that a complaint was filed, and we also filed a formal complaint with the joint commission the joint commission is in charge of certifying hospitals and emergency rooms, and we believe this decision violates some of their principals. Just wanted to share that we did file those complaints as well.

Resident from the audience stated that the hospital provided special dietary meals for people that had restricted diets. That part of our meals on wheels program and they've been doing that since I believe 1976 and for them to not even give them a word that they're closing, which was terrible. It didn't give them very little time to scrunch around and see what other hospitals or another facility that could help make those special diets. Nobody can do it they have taken on the task of providing them for the citizens that need those restricted diets. I mean might be a little thing the meals on wheels program affects around 100 people maybe, and it's huge to the people that are on the receiving end of that, and for them to not even give them a notice saying, "hey we're going be closing maybe you could work something out." I didn't want to get into it or get too upset talking about it. But that and there was a daycare opened up specifically just to work with the hospital employees now it's open to anybody, but that was their main goal now they gotta kind of look at who else. They can get all this other little stuff that goes with it is just that building sitting over there, and the loss of revenue to the city but what it means to the whole region and that's why we're fighting. We're not going to give up we're not going to quit fighting and no matter what the outcome we're committed all of us to getting done what's right.

Mayor Koci stated that Meals On Wheels provided special diets for those at the hospital.

b. Law Director

Mr. Montello was absent this evening.

c. Finance Director

Mrs. Howland thank you all for having this confidence in me to take over from one of the biggest shoes that anyone could fill. Thank you, Mr. Gambosi, for what you've taught me, and I am looking forward to working with City Manager Mallis and with the Council and all the rest of the staff more in this capacity.

d. Council Reports

Councilman Asbury congratulated Mr. Gambosi, and I haven't known you for a long time, but from what I hear, I feel like I can understand the impact that you've had on our city for the last 32 plus years, so congratulations on your retirement thank you for everything. Congratulations to Mrs. Howland it is good to have you and welcome officer Saverko. You've landed with a great group of guys and gals in the Bedford Police Department, and hopefully, you are here to retirement. I just want to go over what happened in August and that we had a great summer. I believe Parks and Recreation put together the Wednesday Night Concert Series and everything went well. There were food trucks, and the bands were great; it was very well-attended. Everything that happened on the square all summer has been fairly well attended. I would like to state that the Cleveland Pagan Pride held their annual Pagan Pride Days on the weekend of August 19th through the 21st, and they collected over 2400 pounds of food for the Southeast Clergy Hunger Center. I would like to congratulate Matthew, Melissa, Stewart, their crew, and all their volunteers for a great event. I would like to recognize Ward 3 resident Rhiannon Sanchez. She runs one of our local Bedford Facebook pages, and somebody approached her with an idea to give a needy family a gift card from Target for uh back-to-school shopping. Ms. Sanchez ran with that idea, and she had like a little coloring slash drawing contest. I believe she received six submissions from Bedford area resident children and through the donations of some anonymous donors all six kids that submitted entries got forty dollars in gift cards to go to target to do some back-to-school shopping, so Rihanna thank you for that it was a great idea. Last Friday the Bedford Downtown Alliance hosted the second annual Putter-on-Downtown. Between the residents and businesses downtown there were 10 different holes it seemed like the kids and the adults had a great time. The businesses that took part Sirna's Café, K Design, Broadway Cyclery, and some of the non-profits in the city put a couple of holes together along with the Bedford Downtown Alliance put some holes together, and it was a good time. There were some good prizes given away, it was a really good event we're looking forward to next year for the third annual. The City Manager mentioned hydrant flushing this week, the chipper service is also this week. I know it's probably too late to get on the list. We will have one more chip or service before the end of the year, I think. That's scheduled for October 3rd so if you missed this one call the Service Department to get on the list. October will be the last one of the year. For the Recreation Department, there are too many things to speak of all the programs and events. Mr. Callahan and his crew are doing a fantastic job down there and to get a full list of the programs that are available for the fall you can go to the City of Bedford's website and click under Parks and Recreation. They do have their own Facebook page Parks and Recreation Department, or you can call 440-735-6570. I know that Fabrizi has requested more time to complete the downtown Broadway Project is there a tentative finish date on it?

City Manager Mallis said that we have a meeting scheduled on Thursday, so I'll know more Thursday morning. I believe that initially, the five-week request came in a week or two ago, so I don't think they were at that time; I think questioning that five weeks. I know they made a lot of progress over the last couple of days a lot of the curb work went in, so I don't believe it's that far out. I'll have a better idea on Thursday, and I'll

include that in Council's Memo. Councilman Asbury stated I know the businesses want to get back to normal down there.

City Manager Mallis said there is one thing that I had forgotten to mention the Parks and Recreation Center is happy to announce that Mr. Callahan has selected a new Assistant Director, and for those of you that don't know Mr. Callahan took over for Mr. Fach, beginning in the summer and really working through that process ultimately. Mr. Pliskey has been hired as the new assistant bob is actually a resident of Bedford. He's worked for the City of Brecksville for well over 20 years, and he has extensive experience in aquatics. He's going to fit right in, and do some great stuff. Today was his first day, and we welcome him aboard.

Councilwoman Spinks congratulated Mr. Gambosi on his retirement and congratulated Mrs. Howland and is looking forward to working with her. City Manager Mallis thanks for speaking about the trucks up at the old Walmart, because I have a lot of ladies that live on Willard, and the trucks were parked right along the fence, and of course, it puts us in a hard spot. They called me, and I generally tell them to call the police, but with that being private property our policemen weren't able to do anything about it. Mike thanks for keeping on the company and stuff because it was getting where it was getting ridiculous they have plenty of places to park, and they were also getting out of the truck and urinating right there, and it's not really nice to have in your backyard. I am excited that 132 Greencroft finally came down. This was a home that had been neglected for so many years, and the sad part is that we've got a lot of houses that are neglected. I'm all for having people coming in and fixing them up, but when the house comes to a point where they've been neglected, and they can't be repaired, then that's kind of the thing that there's a bad part. The City has to do something, and I know that it is a long process to get it done. I have another house that is literally falling into the creek. The house is over 100 years old, and a real estate person now has it up for sale, and the house is uninhabitable. It angers me that people are coming and they a little bit or nothing about the house, and the real estate person makes them look all good, and everything and they haven't listed for a certain thing. We had this house condemned because it's not safe because there's no heat there's no electricity. I just ask people when you're where looking at homes, look at different sites, do your homework ask your Council person because I know about all the houses in my ward and I'm sure that most of the Council up here do too. If I see somebody, I stop and say, "hey come around and look at this; this is what's going on." A first-time buyer might not know that this house is in a huge flood zone. They buy the house because they're getting a deal for \$50,000.00, and then they're going to have to put hundreds of dollars into the house just to be able to safely move into it. City Manager Mallis thank you I know I call you constantly on this stuff, but the big thing is I'm concerned that if a family moves into this house, they thought oh this is going to be a big piece of property, and the kids have plenty of room. The house was literally falling down because the house was old it was neglected. I was glad to see 132 did not get sold and it came down. We've had an abundance of people using the side streets for extra parking overnight for days at a time. I was glad to see the last couple of days that there were tickets on the cars. It

happens sometimes when you don't want to go out to change cars, then it becomes a problem when you're blocking the neighbors in. I'm excited to say that this weekend is the Art and Artisan Festival rain or shine. It starts on Saturday at noon. I do have brochures up here about the bands and the new stuff going on in the back parking lot where Boy Scout Troop 399 will be doing flag retirement on Sunday. There will also be a special 911 Remembrance where the Color Guards from the troop will be involved along with the Bedford Fire Department and Police Department. We started it last year when our event fell on the 20th anniversary, so we're going to do it again this year. We added some new stuff for the kids this year we're going to have kids' tents in the back parking lot, and it's called Imagination Village. I saw a little thing from Tony saying that his daughter has a big imagination, so he could just imagine what she's going to do well, and we wanted to say the big part of it and stuff and so a little thing I kind of took for somebody this year we will have these little blank note cards, and an envelope and the kid can draw on it or do whatever or just put a real nice saying on it like: "you're beautiful" or "smile" or "have a great day." From there they put it in the envelope and give it to somebody that maybe they've never met. It's called Passing-On-Kindness our world needs so much of that right now. People are so mean to each other people, and when you spread rumors about people that they don't even know they say everything on Facebook. I just wanted to share something good and positive with our kids, it's not okay to treat people or say something about someone that you don't even know. You have to have a thick skin when you're up here because you get people you know attacking you when you're just trying to do a good job, and be a good person, so we're going to be passing on some kindness. Then we've got other Hands-Of-Hope, and that is where they draw their hand, write poetry or whatever, and they can take it, or they can give it away, and the chalk art is a lot of fun stuff. A big thank you to my husband who does all these handouts, and all of the signs; he does everything that's going on them. It's one of those things that when I walk in the room and if he's busy doing something, I say "honey I need to do this," so honey thank you very much for doing that; I appreciate it. I wanted to touch on the meals on wheels so when we got the phone call about the hospital closing, we were worried about losing the special diet meals. A big thank you to Diane's daughter Terry who's our Kitchen Manager. She has a kitchen license, so she can cook most of our meals. We were kind of worried about it, and our fearlessly Donna was out calling local nursing homes, and hospitals trying to get those meals, and milk, and the volunteers and everybody pitched in. We didn't miss a single meal on getting those special meals out. I'm just so proud to be a part of that association. My husband is my driver, and I'm proud that he does that; we do it three days a week, and we try to do it more if we can, and I appreciate the council people up here that also deliver meals. Councilman Smith we're going to get you, and I know you're already helping out with feeding people. Councilman Smith also volunteers at other places to give out food, and with the food pantry. Thank you, Melissa and Matt, for doing what they do every year with the Meals-On-Wheels they are so kind to work with, and some of their volunteers deliver meals for us too so just very proud of that. Come out to the Art and Artisan Festival on Saturday 12-8, and Sunday 12-6 hope to see you, and hopefully, we will have good weather.

Councilman Genutis congratulated the new police officer and that he loves it when the Chief tell them to honor the badge. That is a very touching and profound notion. I would also like to congratulate Mr. Gambosi on his retirement. For every decision, we looked to Mr. Gambosi and thought is this a good deal and should we do this? He was always there to give us guidance because everything that we do has a financial footprint. If it's a good deal or not, we really rely greatly on the Finance Director in our positions. I have complete confidence in Mrs. Howland. I think that she's going to do a wonderful job and I really appreciate that she was chosen. This weekend will be wonderful with the artists and all the art. Everyone's had a great time at the Party in the Park, along with all of the good work done by the Bedford Downtown Alliance with the First Fridays. It's been a lot of fun for everyone, and we appreciate those things.

Councilman Fluharty congratulated Mrs. Howland, the new police officer, and Mr. Gambosi. I want to congratulate Mayor Koci, City Manager Mallis, and Mr. Montello on all of the hard work you've been doing with this hospital situation you guys are doing an excellent job. I just want to congratulate you for all of the efforts that you guys are putting into it, and hopefully, we get a good outcome out of it

Councilman Smith said I look forward to working with Mrs. Howland and I know that you will do a great job. Mr. Gambosi it's unfortunate that we didn't get to work together, but I know that you're going to enjoy your retirement. I'd like to congratulate Officer Saverko, and I hope that he does a great job. There was a sewer failure about a month ago, I talked with City Manager Mallis about it, but now I see that they're about to backfill that or raise the elevation, so once they do that I'm going to ask you if they plant so good grass there.

Mayor Koci said that the utility pole on Northfield Rd. was bent over is finally taken care of.

8. NEW BUSINESS

- a. **Resolution No. 2590-22:** A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER AND DECLARING AN EMERGENCY

Was read by title only.

MOTION:	Motion made by Asbury and seconded by Frank Smith to suspend the rules requiring the reading of said ordinance/resolution on three different days.
MOVER:	Jeff Asbury
SECONDER:	Frank Smith
RESULT:	Pass [6 TO 0]

YEAS: Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:
ABSTAIN:

Mrs. Howland said that this is part of the tax budget process and the taxpayer budget then goes to the County. The County then approves the rate, and that's going to be charged on the tax bills for the property tax bills. There is no change in the rate from last year it's still \$27.1 Mill. We are just accepting it and authorizing them to leviate on the taxes.

MOTION: Motion made by Fluharty and seconded by Sandy Spinks to place said ordinance/resolution on third and final reading.
MOVER: Victor Fluharty
SECONDER: Sandy Spinks
RESULT: Pass [6 TO 0]
YEAS: Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:
ABSTAIN:

- b. **Ordinance No. 10,011-22: AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CLEAN HARBORS FOR CHEMICAL REMOVAL AT THE WASTEWATER TREATMENT PLANT (WWTP) AND DECLARING AN EMERGENCY**
Was read by title only.

MOTION: Motion made by Spinks and seconded by Victor Fluharty to suspend the rules requiring the reading of said ordinance/resolution on three different days.
MOVER: Sandy Spinks
SECONDER: Victor Fluharty
RESULT: Pass [6 TO 0]
YEAS: Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:
ABSTAIN:

City Manager said that over the years there's been a number of old lab chemicals that were left over and stored in that area of the plant and that they should be removed. We did look at alternatives similar to the County's Hazardous Waste Cleanup, but unfortunately, the County is unable to take it. We went ahead and got quotes, and we did receive two quotes, and Clean Harbors was the lowest of the two. It is our recommendation to move forward with them to remove the chemical drums and excess bottles.

MOTION:	Motion made by Asbury and seconded by Frank Smith to place said ordinance/resolution on third and final reading.
MOVER:	Jeff Asbury
SECONDER:	Frank Smith
RESULT:	[6 TO 0]
YEAS:	Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:	
ABSTAIN:	

- c. **Ordinance No. 10,012-22: AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH AECOM FOR SERVICES RELATING TO THE PURCHASE OF THE OVERFLOW MONITORING EQUIPMENT AND DECLARING AN EMERGENCY**
 Was read by title only.

MOTION:	Motion made by Asbury and seconded by Frank Smith to suspend the rules requiring the reading of said ordinance/resolution on three different days.
MOVER:	Jeff Asbury
SECONDER:	Frank Smith
RESULT:	Pass [6 TO 0]
YEAS:	Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:	
ABSTAIN:	

City Manager said that this is part of the NFA Study that we're currently working through to be in compliance with the Ohio EPA. Earlier this year we did purchase temporary flow monitors that were installed at various outflows throughout the community. We identified this in the early part of this study and after discussing it with the Ohio EPA, they have recommended that we acquire an additional ten and strategically place them in other areas of our system. The best time to have these installed is during the rainy season. We want to have these installed for the fall and spring so that we can accurately collect the data during the high rain events. Our hope is to have them installed within the next thirty days so that we can have two full seasons.

MOTION:	Motion made by Spinks and seconded by Victor Fluharty to place said ordinance/resolution on third and final reading.
MOVER:	Sandy Spinks
SECONDER:	Victor Fluharty
RESULT:	Pass [6 TO 0]
YEAS:	Koci, Spinks, Genutis, Fluharty, Asbury, Smith

NAYS:
ABSTAIN:

- d. **Ordinance No. 10,013-22:** 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:	Motion made by Smith and seconded by Jeff Asbury to suspend the rules requiring the reading of said ordinance/resolution on three different days.
MOVER:	Frank Smith
SECONDER:	Jeff Asbury
RESULT:	Pass [6 TO 0]
YEAS:	Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:	
ABSTAIN:	

Mrs. Howland said that we do these appropriation ordinance updates periodically when we have new funds or new projects that come up and they are:

General Fund: The increases (decreases) in appropriations for 2022 in the general fund are for the following purposes:

- In the recreation department, (\$21,970) decrease in Youth Sports (personal services) budget and \$21,970 increase in professional services (other) budget since the recreation department has outsourced most of youth sports activities to outside vendors.
- \$3,500 increase for building department bank fees due to increased receipts from credit cards taken through citizen serve.
- \$2,216.75 increase for auditor and treasurer fees associated with property tax receipts.
- Increase Municipal Complex equipment by \$12,988 and \$900 for the Muni-complex (court) rooftop compressors and warranty.
- Advancing \$222 to the Northfield/ Rockside fund for legal fees.

Fund 201 First Suburbs Consortium (FSC):

\$25,000 increase for CCLRC Single Family Zoning Phase 2 project. Funding is coming from the County Land Bank.

Fund 205 SEALE Fund:

\$522,305.45 increase for the SEALE 2021/2022 Drug LEF Grant.

Fund 209 Street M & R Fund:

\$27,135 increase for street maintenance for the painting of downtown and Tinkers Creek Commerce Park streetlights.

Fund 403 Capital Projects Fund:

\$60,000 increase for the sale of Tinkers Creek Commerce Park (\$40,000 for legal fees and \$20,000 for taxes owed).

Fund 500 Water Fund:

- \$3,130.18 increase for vehicles and equipment due to adding equipment to new vehicles and increased costs.
- \$1,261,282.50 increase for the Ennis and Harriman waterline Project.

Fund 501 Wastewater Fund:

- \$90,000 increase for the rental and maintenance costs associated with the SSO flow monitors. This cost is for \$1,490 per meter per month.
- \$29,316.18 increase for the disposal of chemicals before any hazardous conditions occur.

MOTION:	Motion made by and seconded by to place said ordinance/resolution on third and final reading.
MOVER:	
SECONDER:	
RESULT:	[0 TO 0]
YEAS:	
NAYS:	
ABSTAIN:	

- e **Ordinance No. 10,014-22: AN ORDINANCE DECLARING THE PROPERTY AND STRUCTURE LOCATED AT 788 WELLMON ST. (P.P.N. 813-27-006) A NUISANCE AND THEREFORE CONDEMNING THE PROPERTY ORDERING ACTION AND DECLARING AN EMERGENCY**
Was read by title only.

MOTION:	Motion made by Fluharty and seconded by Sandy Spinks to suspend the rules requiring the reading of said ordinance/resolution on three different days.
MOVER:	Victor Fluharty
SECONDER:	Sandy Spinks
RESULT:	Pass [6 TO 0]
YEAS:	Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:	
ABSTAIN:	

City Manager said that this is a home that was written up a few years back it was vacant and in poor condition. We followed up on it again, and it remains vacant; there's no electricity, no gas, no water to the home and the roof is starting to fail

structurally. It is our wish to take it to the next step and continue the process. Ultimately the City may be in a position where we're going to have to demolish the home. Before the next step can be taken, we have to condemn it.

MOTION:	Motion made by Smith and seconded by Jeff Asbury to place said ordinance/resolution on third and final reading.
MOVER:	Frank Smith
SECONDER:	Jeff Asbury
RESULT:	Pass [6 TO 0]
YEAS:	Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:	
ABSTAIN:	

- f. **Ordinance No. 10,015-22:** AN ORDINANCE REPLACING ORDINANCE NO. 9899-21 CONCERNING SECTION §911.01 "RESIDENT WATER RATES" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD AS RELATED TO WATER RATES AND DECLARING AN EMERGENCY
Was read by title only.

MOTION:	Motion made by Fluharty and seconded by Sandy Spinks to place Ordinance No. 10,015-22 on First Reading.
MOVER:	Victor Fluharty
SECONDER:	Sandy Spinks
RESULT:	Pass [6 TO 0]
YEAS:	Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:	
ABSTAIN:	

Mayor Koci said that for the Water Rates we're looking at a 3% reduction in water rates.

- g. **Ordinance No. 10,016-22:** AN ORDINANCE AMENDING ORDINANCE NO. 9900-21 CODIFIED ORDINANCE §911.03 "RATE REDUCTION FOR DISABLED PERSONS AND SENIOR CITIZENS" FOR WATER AND SEWER DISCOUNTS AND DECLARING AN EMERGENCY
Was read by title only.

MOTION:	Motion made by Fluharty and seconded by Sandy Spinks to place Ordinance No. 10,015-22 on First Reading.
MOVER:	Victor Fluharty
SECONDER:	Sandy Spinks
RESULT:	Pass [6 TO 0]

YEAS: Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:
ABSTAIN:

- h. **Ordinance No. 10,017-22:** BEING AN ORDINANCE AMENDING ORDINANCE NO. 9901-21 CONCERNING SECTION 913.02 "SEWER RATES" OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD AS RELATED TO SEWER RATES AND DECLARING AN EMERGENCY
Was read by title only.

MOTION: Motion made by Fluharty and seconded by Sandy Spinks to place Ordinance No. 10,017-22 on First Reading.
MOVER: Victor Fluharty
SECONDER: Sandy Spinks
RESULT: Pass [6 TO 0]
YEAS: Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:
ABSTAIN:

- i. **Ordinance No. 10,018-22:** AN ORDINANCE PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE CODIFIED ORDINANCES OF BEDFORD TO APPROVE, ADOPT AND ENACT THE AUGUST 2022 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF BEDFORD, OHIO, HEREINAFTER "CODIFIED ORDINANCES," TO REPEAL CERTAIN ORDINANCES IN CONFLICT THEREWITH OR DEEMED OBSOLETE AND DECLARING AN EMERGENCY
Was read by title only.

MOTION: Motion made by Fluharty and seconded by Sandy Spinks to suspend the rules requiring the reading of said ordinance/resolution on three different days.
MOVER: Victor Fluharty
SECONDER: Sandy Spinks
RESULT: Pass [6 TO 0]
YEAS: Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:
ABSTAIN:

Mrs. Simons said that this is to update the replacement pages online and in the Codified Ordinance Book.

MOTION: Motion made by and seconded by to place said ordinance/resolution on third and final reading.

MOVER:	
SECONDER:	
RESULT:	[0 TO 0]
YEAS:	
NAYS:	
ABSTAIN:	

- j. **Ordinance No. 10,019-22:** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SIRNA CONSTRUCTION, INC. (SIRNA) FOR THE 2022 SIDEWALK REPAIR PROGRAM AND DECLARING AN EMERGENCY
 Was read by title only.

MOTION:	Motion made by Spinks and seconded by Victor Fluharty to suspend the rules requiring the reading of said ordinance/resolution on three different days.
MOVER:	Sandy Spinks
SECONDER:	Victor Fluharty
RESULT:	Pass [6 TO 0]
YEAS:	Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:	
ABSTAIN:	

City Manager Mallis said that this is for our annual sidewalk program. We are going to be looking at completing the areas of Columbus St., Helper Dr., and then we will move to other areas of the City in the immediate area of that section. We did receive two quotes, and the first quote came in at \$12,000.00 for four-inch slabs and \$13,000.00 for six-inch slabs from F Plaga. Sirna's Construction costs were less than \$10.35 a square foot for both of those sizes. We've worked with Sirna's in the past and it is our recommendation to move forward with them.

MOTION:	Motion made by Smith and seconded by Jeff Asbury to place said ordinance/resolution on third and final reading.
MOVER:	Frank Smith
SECONDER:	Jeff Asbury
RESULT:	[6 TO 0]
YEAS:	Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:	
ABSTAIN:	

- k. **Ordinance No. 10,020-22:** AN ORDINANCE AUTHORIZING A CONTRACT WITH WALT KUCHARSKI SEPTIC SERVICE, INC. (KUCHARSKI) FOR EMERGENCY

REPAIRS TO THE SLUDGE THICKENER TANK AT THE WASTEWATER TREATMENT PLANT (WWTP) AND DECLARING AN EMERGENCY

Was read by title only.

MOTION:	Motion made by Asbury and seconded by Frank Smith to suspend the rules requiring the reading of said ordinance/resolution on three different days.
MOVER:	Jeff Asbury
SECONDER:	Frank Smith
RESULT:	Pass [6 TO 0]
YEAS:	Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:	
ABSTAIN:	

City Manager Mallis said this is an emergency repair that we had at the Wastewater Treatment Plant. The sludge thickener was plugged and our staff tried to do a number of different mitigation efforts and unfortunately it could not get unplugged. Ultimately working with Kucharski the whole tank had to get pumped out. There were rocks and rags that were in the tank. This was the cost and we've worked with Kucharski before in situations like this.

MOTION:	Motion made by Spinks and seconded by Victor Fluharty to place said ordinance/resolution on third and final reading.
MOVER:	Sandy Spinks
SECONDER:	Victor Fluharty
RESULT:	Pass [6 TO 0]
YEAS:	Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:	
ABSTAIN:	

1. **Ordinance No. 10,021-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SPECIALIZED CONSTRUCTION, INC., FOR THE 2022 CRACK SEALING PROGRAM IN THE CITY OF BEDFORD AND DECLARING AN EMERGENCY**
Was read by title only.

MOTION:	Motion made by Spinks and seconded by Walter Genutis to suspend the rules requiring the reading of said ordinance/resolution on three different days.
MOVER:	Sandy Spinks
SECONDER:	Walter Genutis
RESULT:	Pass [6 TO 0]

YEAS: Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:
ABSTAIN:

City Manager Mallis said that we held a bid for crack sealing and as the ordinance state we will be performing the work on Egbert Rd. and Solon Rd. This is part of a 50/50 grant that we received from Cuyahoga County, and the County will reimburse the City up to a certain amount of the material cost. That number is slightly over \$13,000.00, and the low bid came in from Specialized Construction. They've done work with the City before.

MOTION: Motion made by Asbury and seconded by Frank Smith to place said ordinance/resolution on third and final reading.
MOVER: Jeff Asbury
SECONDER: Frank Smith
RESULT: Pass [6 TO 0]
YEAS: Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:
ABSTAIN:

9. HEARING OF CITIZENS

Dave Delraynow, 7013 Krick Rd we recently acquired the old Environmental Chemical Site, and we are trying to resurrect it and bring it back. We're changing up the process of what we're doing over there. When you deal with solvents and hazardous waste, we are looking to bring in water treatment for oily water, metals, and things like that the factories bring them in and we clean them. We then discharge them to Northeast Oil Regional Sewer District, obviously, there is a lot from the EPA, Northeast Outreach, and a little Sewer District the Cleveland Division. The reason why I am in front of you today is that I wanted to commend Mr. Sokolowski, Matt, Brian, and Bob from the Water Department; they came out to me out. We are trying to clean up a pretty big mess. We're making great progress where all of the shops were and all of the other lines that were coming through. The gentlemen came out early last week, and they assisted throughout the whole process. We are new in the neighborhood, so if you are ever down that way stop by, we've done quite a bit with the site. I know that Councilman Fluharty was out and saw what we've done with it and we're going to continue doing that. We still have a long way to go, but I appreciate all the support that we're getting from the City, and we look forward to being a big neighbor.

Mayor Koci said welcome to Bedford and happy to have somebody in there, and water sounds a whole lot better than some of the chemicals they were dealing with.

Mr. Delraynow said that they understand the heartburn that came with them and again we've invested quite a bit of time, and quite a bit of money into it. We've got some plans

into Mr. Beverly right now for some changes and things that we want to do. We've got established occupancy right now, and that's kind of the path that we're going down right now. We did do quite a bit of cleanup on it, and we're going to continue it.

Tim Tench, 286 Marion Dr, Bedford, OH: congratulated Mrs. Howland on her new appointment and also to Mr. Gambosi as he starts his new chapter in life. Being in the government sector for a while I know how important the books are and you're only as strong as your Finance Director. Believe me, we had one of the best if not the best in the County. All the best to Mr. Gambosi and his new endeavors. I want to thank Dr. Johnson for reinstating in getting our Board Members back to City Hall and reporting in because it's important. I told her as Bedford goes so goes the levies. I keep in touch with them and always wondered you always heard you can't fight City Hall, but what happens when City Hall has to fight big business, we're finding that out. All the best to you guys I know you're kicking it, and we appreciate I do. As a taxpayer keep up the good work.

Denise Lachowski, 745 Archer Rd., Bedford, OH: City Manager Mallis while you and others are focused on mediation efforts are others investigating, creating, or enhancing relationships with Metro and the Cleveland Clinic? Metro Health came to my mind besides just seeing what was going on at UH. Personally, I've thought for several years it was on its way out based on having family members there and seeing reduced services, but the crazy volume coming through the ER and the critical services they've provided the Meals-On-Wheels. I've had a number of people comment to me about being able to get a decent meal at a very low price in their cafeteria. It really is a huge impact on the community in a number of ways. The immediate thought that came to my mind when this got announced was Metro is looking to expand their footprint in the county. Metro built a very nice facility over there in Brooksville over at Broadview Heights on 82 and 77, and they really don't have a facility in southeast Cuyahoga County. I just wanted to throw that out there. Mayor Koci said that we are under a gag order by the judge. We've looked into many options, and they do have a presence here on the corner of Rockside Rd and Center Rd. Ms. Lachowski said that she was thinking of a bigger picture and that they don't have that kind of presence on the east side of town. She also said that going through the ordinances I heard the mention of a sale on Tinker's Creek Commerce Park and I wonder if you're able to talk about who that's being sold to or for what purpose? City Manager Mallis said that there were about 30 acres of Tinker's Creek Commerce Park that were being marketed about 17 or 18 years ago and it was tied up in bad financing and thanks to Mr. Gambosi, Mrs. Howland, and other staff members they work on this for about three years. We appreciate Council's support and earlier this year the City took ownership of that property. It was transferred over to us, we put together a component where Cuyahoga County would be made whole if we were able to move those properties and sell them. The first sale that took place is what was mentioned by Mrs. Howland when talked about the appropriations, and that was the five acres directly next door to the Art of Beauty is in need of the property to expand, but they were landlocked there, so they purchased the property from the city for the appraised value; which was about \$55,000 per acre. We're actively working with the developer and other companies on the remaining 25 acres. Our intention is not to sit on that property so we should be seeing those transactions take place hopefully fingers crossed over the next few months. I will just add a couple of things we did act very, very quickly

even though we were not afforded a whole lot of time on the impacts of this closing, specifically the emergency room closing. We had to strengthen our partnerships with our neighboring communities, but we also strengthen partnerships with the Cleveland Clinic. It really does not mean you don't go out to Ahuja but depending on where we're located in Bedford during an emergency depending on where we're located on which side of the tracks as you know Bedford. we'll be looking at South Point and Marymount, so it was important to strengthen our relationship with the Cleveland Clinic. We were able to switch over our med control and drug licenses to the Cleveland Clinic. We were always under UH because they were right here, but as of right now we are going to be primarily going to Cleveland Clinic facilities. We started that on September 1st so that is the short term and like Mayor Koci said there is not a whole lot that we can say right now. You are 100% accurate that they do not have a presence or a footprint on the southeast side; the closest is Cleveland Heights for a Metro Emergency Facility.

Diane Astalas, 685 Archer Road, Bedford, OH said I'm here as an officer of the southeast in charge of Meals-On-Wheels. I wanted to say what they did and the way they did it and that we didn't get any notice either. It took away more than just the supplying of the meals to the special diets. We could purchase things, and when you jump from two cents a carton for milk the seven cents of the curtain for milk to give milk to a hundred people, that's a lot of money for a totally operated facility from donations. We have no way of raising money, we don't sell the meals people are asked to make donations for their meals, but if they choose not to make a donation, they don't make it. We don't bring a lot into the budget from that there are so many other things that we received for meals that were being prepared that the hospital supplied such as just things like maple syrup in little containers and butter in small containers. Those things aren't going to come back if you bring back an emergency room, because they're not going to have a full cafeteria. They're never going to do that again unless they open a full-fledged hospital over here which I'd love to see. I just wanted to tell you to thank you for bringing up Meals-On-Wheels, because we are desperate not only for donations but also desperate for volunteers. Anytime somebody wants to step up and say I can help out so let us know.

Tony Borisma, 45 Tarbell Ave., Bedford, OH: I just want to quickly address a 788 Wellman. I just want to say that was my first address when I moved here about nine years ago while Councilman Genutis's mom was our neighbor and we have a lot of memories there. Both of my kids were born there, and then our family got too big we had to move due to circumstances that weren't ours to control. We just couldn't sell it we couldn't do anything with it, and it is where it is now. Councilman Genutis said that one of the kids came over and did volunteer work for my mother, and she wanted to give him some money, but he wouldn't take it, because then it wouldn't be volunteer work.

Robert Diederich, 137 Santin Circle, Bedford, OH: said the issue about coding changes the ordinance changes adoption, and new matters and repeal of certain ordinances you can make a listing or maybe example what those are or in zoning or building or anything like that. Mayor Koci said that it was all of the stuff that we voted on over the past year. Mrs. Simons said that it is an update to any of the ordinances that were passed since March. Mayor Koci said that it we save all of this information. Mr. Diederich said that he thinks it

is Spectrum that left all of the old poles sitting around now am I correct we still have all those old poles next to the new telephone poles? He also wanted to know when they would be taken out, and City Manager Mallis replied that the City has no idea it is like that and the Illuminating Company installed the new polls. He continued to say that they transfer all of their lines and all of their stuff over and it is illegal for them to touch Spectrum's lines, which is why the old poles that you see one or two lines on them are there. He said that they can put in a request to Spectrum. He said that they meet with the Illuminating Company on how they are going to coordinate with Spectrum. Mr. Diederich said that the City bought Tinker's Creek and City Manager Mallis said that it was transferred to the City at zero cost. Mr. Diederich asked if UH bought all the buildings on the land. City Manager Mallis said that the deal that University Hospital made, the City sold it to them in 1993. They did buy the hospital that was the old Bedford Community Hospital. We controlled it the deal was the purchase of all of that land at the time not including the old City Hall site here. I believe it was around 3.5 million, but the big ticket item was they agreed to take over all of the debt, and there were over 20 million dollars in debt on that hospital that UH took over from us, so that deal in 1993 was for the property and relieving the city of the debt. Since then we did sell the old City Hall site to them for a million dollars that took place in 2003, and they were responsible for the demolition of that. Mr. Diederich said at this point everything there belongs to them and we really don't have it's not a situation where we can make use of it, and I was wondering if the City owned the buildings, and City Manager Mallis said that we don't own any of that.

10. ADJOURNMENT

MOTION:	Motion made by Spinks and seconded by Walter Genutis to adjourn the Regular Council Meeting of Tuesday, September 6, 2022.
MOVER:	Sandy Spinks
SECONDER:	Walter Genutis
RESULT:	Pass [6 TO 0]
YEAS:	Koci, Spinks, Genutis, Fluharty, Asbury, Smith
NAYS:	
ABSTAIN:	

Meeting adjourned at 9:44 P.M.


 Clerk of Council


 Mayor-President of Council

Date: October 3, 2022