



**WORK SESSION MEETING      BEDFORD CITY COUNCIL      DATE: SEPTEMBER 18, 2023**  
**MINUTES      STATE OF OHIO      TIME: 5:30 PM**  
**COUNTY OF CUYAHOGA      165 CENTER ROAD BEDFORD, OH 44146**

Bedford City Council met in a Work Session at Bedford City Hall on Monday, September 18, 2023, at 5:30 p.m.

Present: Council Members: Stanley 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, Finance Director Jennifer Howland.

**DISCUSSION OF AGENDA**

There were no corrections to the minutes.

Motion to approve the rededication of Interstate Park to Bill Cosgrove Park. Councilman Fluharty stated that Mr. Cosgrove promotes the City of Bedford and that he came from the neighborhood and that he also gives back to the community.

Ordinance No. 074-23: Adoption of the May 2023 Replacement Pages: Mr. Montello stated that this is done every three to four months and it is the replacement pages for the City's Codified Ordinance Books.

Ordinance No. 075-23: Enacting Chapter 751 "VIDEO SURVEILLANCE SYSTEMS FOR APARTMENT COMPLEXES" City Manager Mallis stated that several communities have implemented this and that it will solely be on the exterior of the apartment complex. He stated that this wouldn't be implemented until May of 2024 and that this is not just for the City but also for the residents. Councilman Genutis inquired about clear signage for the cameras. City Manager Mallis stated that the residents would feel more comfortable and that this is another tool to help the police in speeding up an investigation.

Ordinance No. 076-23: Contract with Assured Partners: Mrs. Howland stated that this is an annual renewal for cyber security.

**EXECUTIVE SESSION**

**LITIGATION:  
UH BEDFORD MEDICAL CENTER**



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**PERSONNEL:  
POLICE DEPARTMENT STAFFING**

<b>MOTION:</b>	Motion made by Spinks and seconded by Walter Genutis to adjourn into Executive Session at 6:06 P.M. to discuss Litigation: UH Bedford Medical Center and Personnel: Police Department Staffing
<b>MOVER:</b>	Sandy Spinks
<b>SECONDER:</b>	Walter Genutis
<b>RESULT:</b>	<b>Pass [7 TO 0]</b>
<b>YEAS:</b>	Koci, Spinks, Genutis, Fluharty, Smith, Asbury, Saunders
<b>NAYS:</b>	
<b>ABSTAIN:</b>	

<b>MOTION:</b>	Motion made by Smith and seconded by Jeff Asbury to adjourn out of Executive Session at 7:00 P.M.
<b>MOVER:</b>	Frank Smith
<b>SECONDER:</b>	Jeff Asbury
<b>RESULT:</b>	<b>Pass [7 TO 0]</b>
<b>YEAS:</b>	Koci, Spinks, Genutis, Fluharty, Smith, Asbury, Saunders
<b>NAYS:</b>	
<b>ABSTAIN:</b>	

The Work Session Meeting adjourned at 7:01 P.M.

  
\_\_\_\_\_  
Clerk of Council

  
\_\_\_\_\_  
Mayor-President of Council

Date: October 16, 2023



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- We intend to replace that one. But as far as expanding and doing it, it's a little more complicated than that.

Mr. Montello stated that the gentleman that turfed your server at your house, he's in jail for 177 days and got sentenced today. He didn't know this would happen, but he's in jail. I apologize that you couldn't get money from him.

Ms. Cuthbertson stated that I know at least one person is being held responsible and that we've been requesting a guardrail be put up. She inquired if can put something up there? Is that legal? And what's the liability issue? The tree lawn or the front yard?

City Manager Mallis stated that the city cannot forcefully have someone a put up there. He also stated that Cleveland Heights was doing decorative boulders the way they were presented. You know, anybody can see anything there. So, I'm not a lawyer. I would have decorative landscaping and do that, but I'm not a lawyer.

**9. ADJOURNMENT**

<b>MOTION:</b>	Motion made by Fluharty and seconded by Walter Genutis to adjourn the meeting at 8:12 P.M.
<b>MOVER:</b>	Victor Fluharty
<b>SECONDER:</b>	Walter Genutis
<b>RESULT:</b>	<b>Pass [7 TO 0]</b>
<b>YEAS:</b>	Koci, Spinks, Genutis, Fluharty, Smith, Asbury, Saunders
<b>NAYS:</b>	
<b>ABSTAIN:</b>	

  
Clerk of Council

  
Mayor-President of Council

Date: October 16, 2023



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**1. CALL TO ORDER**

Bedford City Council met in a Regular Session at Bedford City Hall on Tuesday, September 18, 2023. Mayor Koci called the meeting to order at 8:04 P.M. The meeting was opened by pledging allegiance to the flag.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. APPROVAL OF MINUTES**

- a. Approval of Minutes of the Work Session of September 5, 2023

<b>MOTION:</b>	Motion made by Spinks and seconded by Walter Genutis to approve the Minutes of the Work Session of September 5, 2023.
<b>MOVER:</b>	Sandy Spinks
<b>SECONDER:</b>	Walter Genutis
<b>RESULT:</b>	<b>Pass [7 TO 0]</b>
<b>YEAS:</b>	Koci, Spinks, Genutis, Fluharty, Smith, Asbury, Saunders
<b>NAYS:</b>	
<b>ABSTAIN:</b>	

- b. Approval of Minutes of the Regular Meeting of September 5, 2023

<b>MOTION:</b>	Motion made by Asbury and seconded by Frank Smith to approve the Minutes of the Regular Meeting of September 5, 2023.
<b>MOVER:</b>	Jeff Asbury
<b>SECONDER:</b>	Frank Smith
<b>RESULT:</b>	<b>Pass [7 TO 0]</b>
<b>YEAS:</b>	Koci, Spinks, Genutis, Fluharty, Smith, Asbury, Saunders
<b>NAYS:</b>	
<b>ABSTAIN:</b>	

**5. PRESENTATION**

- a. Bedford City Schools Executive Director of Operations Mr. Ellsworth  
Tad Ellsworth, Executive Director of Operations for the Bedford City Schools: Stated the following:



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- Talked about Building a Brighter Future Program
- Stated that the district is not permitted to advocate for or against the passage of a levy or bond issue
- Information that is provided is merely factual regarding the state of the school district buildings and their finances
- Bedford City School's oldest building is 114 years old, and the newest building is 58 years old; the average age of a school building is 74 years. The district has not upgraded its facilities in some time
- The district put together a New Facilities Committee that is made up of residents within the community from the four municipalities that have over fifty residents strong with parents, staff, and business people
- GPD Group was hired to help craft a Master Facilities Plan, and it was presented to the School Board back in May. Plans include a new high school with an expanded career center and technical education opportunities that include cosmetology, video production, visual communication, graphic design, engineering, and biotechnology
- One of the other big programs that will be expanding is the preschool opportunities
- Four new buildings will be built to replace six, and this is based on the Building Assessment done by the Ohio Facility Construction Commission. The OFCC did an assessment of both the cost of renovation and of building a new
- The estimated cost to renovate is \$224 Million, and the state would not contribute anything to renovate; they only support building new
- If the district participates with the Facilities Construction Committee, they will fund 21% of the project, which is a little over \$32 Million in state money in addition to school money
- The Board of Education voted to put a bond issue on the ballot, and it is a \$161 Million \$9.9 Million bond issue. The Municipal Advisor told the Board of Education that the cost per every \$100,000.00 in home value is about \$0.95 per day.
- Bond issue proceeds can only be used for the construction of new facilities, and the preparation of the sites cannot be used for salary and benefits, and this is not an Operating Levy.
- They are looking at a school-based health clinic to provide real health care services in the schools



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- The buildings have steam boilers and not all of the buildings have air conditioning
- Councilman Smith inquired as to why information hadn't been disseminated to the residents. He stated that there are no yard signs and no advertising about this.

Mr. Ellsworth stated that he had information and he stated the following:

- A Bond Issue Community Form will be held on September 25<sup>th</sup> at 6:00 p.m. at Central School
- This weekend the school will be having their Fall Festival
- The plan is to build a new Middle School on the Channel Site and at the new Middle School is where the new Administration Wing will be for the school district.
- The new 3-5 Building will not be built until they get money from the state
- The school district is part of the Expedited Local Partnership Plan and this is for school districts that haven't gotten on the School Classroom Facilities Assistance Program and that is when we will get the money from the state.
- This is a bond issue

Councilman Genutis inquired as to why this can't be done incrementally instead of all at once and that there is some type of contrary that there's an obligation to do it all at once rather than incrementally.

Mr. Ellsworth stated the following:

- In his opinion doing it all at once is the right thing to do for the students
- These old buildings are not suitable for the kinds of things that we are trying to prepare our kids for in the 21<sup>st</sup>-Century
- The state assessment did recommend that all the facilities be rebuilt

Councilman Asbury inquired about the time frame for the entire plan. He also inquired that if the bond issue does pass in November it starts being assessed in January for the 2024 tax year

Mr. Ellsworth stated the following:



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- The first year will be spent on the design where they will meet with residents, officials, and students to design the new middle school and pre-K building. Construction would start in early 2025
- While the middle school and pre-K building is being built they will begin the design for the high school
- The high school will take between two to two and a half years to build
- It will start being assessed in January if it is passed in November and the taxpayers may not see all of it come at once because the first year they won't be spending a lot of money. They won't see the full effect on their tax bill until they start building the high school
- They will not borrow more than what they need at any given time

Councilman Fluharty inquired that if it doesn't pass in November will be on the ballot in May.

Mr. Ellsworth stated the following:

- That it probably would be and that this is a need and not a want. They are aging buildings.
- It is going to have to get paid one way or another either from a bond issue or by having more operating levies.
- None of the buildings are ADA compliant

**6. REPORTS**

- a. City Manager Mallis stated the following:
- The Parks and Recreation fall brochure will be going in the mail but there are some on the counter
  - October 7<sup>th</sup> is the Children's Fall Festival at the Commons starting at 9:00 a.m.
  - Chipper Service ends on the first full week in October. This is the last time for it until next year.
  - The Fire Department is conducting interviews this week to fill two current vacancies
  - The turnout was great at last week's TLCI Connectivity Meeting down at Ellenwood



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- The next Public TLCI Connectivity Meeting is in November
- Survey is still up and we want the public's feedback
- Information on the meeting is available on the City's website if you are unable to attend a meeting
- Next month a notice will be going out on social media and the City's website for a Public Meeting to discuss the Bedford Commons Expansion Project

b. Law Director Montello had no report this evening.

c. Finance Director Howland had no report this evening.

d. Council Reports

Councilwoman Spinks stated the following:

- Noticed that there are a number of feral cats that are being dumped in the city and that the Parma Animal Shelter is a no-kill shelter or the Cleveland Animal Protective League
- If you do see someone dump or you find cats contact the Bedford Garden Club; there is a lady on Center Rd.
- Inquired if the City is going to do anything with the juveniles on trash pickup this year
- Also inquired about the car haulers coming down Greencroft Rd. and to see which dealership it is
- Thanked the Bedford High School Marching Band for doing their halftime show at the Art and Artisan Festival a couple of weeks ago and they were wonderful.

Councilman Genutis stated the following:

- On October 17<sup>th</sup> and 19<sup>th</sup>, a number of Bedford students will be volunteering to work at Interstate Park to plant native plants and pollinators, which is organized by the Cuyahoga County Soil and Water Conservation District

Councilman Fluharty warned everyone to drive safely and slowly in the construction zones.

Councilman Smith welcomed the School Board President Ms. Boynton and said that





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he looks forward to seeing everyone at the School Board Meetings. He appreciates them coming out and letting everyone know what is going on.

Councilman Asbury stated the following:

- Garage Sale was a huge success
- Inquired about the work on the gazebo and the train depot

City Manager Mallis stated the following:

- The roof is completed, and they have started painting
- Restroom renovations are taking place
- Electrical upgrades have not been started yet.
- The upgrades to the sound system are moving forward, and it will be a stationary sound system as well as a portable sound system
- All of the updated equipment is covered 100% through the county grant

Councilman Saunders stated the following:

- Inquired if anyone has taken a look at the Sycamore tree on Ennis St. near Logan
- This is a tree that you can see through, and it poses a safety hazard
- Warned everyone to be careful going southbound on Broadway Ave.

City Manager Mallis stated that the arborist was out there two weeks ago and that he had not received a report yet.

**7. NEW BUSINESS**

- a. **MOTION TO RENAME AND DEDICATE INTERSTATE PARK AS BILL COSGROVE PARK (1ST RDG. 9/18/23) Was read by title only.**

<b>MOTION:</b>	Motion made by Spinks and seconded by Victor Fluharty to place said renaming and dedication of Interstate Park to Bill Cosgrove Park on First Reading.
<b>MOVER:</b>	Sandy Spinks
<b>SECONDER:</b>	Victor Fluharty
<b>RESULT:</b>	Pass [6 TO 1]



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<b>YEAS:</b>	Koci, Spinks, Fluharty, Smith, Asbury, Saunders
<b>NAYS:</b>	Genutis
<b>ABSTAIN:</b>	

- b. **ORDINANCE NO. 074-23:** AN ORDINANCE PROVIDING FOR THE ADOPTION OF NEW MATTER IN THE CODIFIED ORDINANCES OF BEDFORD TO APPROVE, ADOPT AND ENACT THE MAY 2023 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.**

<b>MOTION:</b>	Motion made by Smith and seconded by Jeff Asbury to place said ordinance/resolution on third and final reading.
<b>MOVER:</b>	Frank Smith
<b>SECONDER:</b>	Jeff Asbury
<b>RESULT:</b>	<b>Pass [7 TO 0]</b>
<b>YEAS:</b>	Koci, Spinks, Genutis, Fluharty, Smith, Asbury, Saunders
<b>NAYS:</b>	
<b>ABSTAIN:</b>	

Mr. Montello stated the following:  
To replace any of the old Codified Ordinance Pages with any new ones  
This is for any Ordinances or Resolutions that we passed since the first of the year to May of this year.

<b>MOTION:</b>	Motion made by Spinks and seconded by Victor Fluharty to place said ordinance/resolution on third and final reading.
<b>MOVER:</b>	Sandy Spinks
<b>SECONDER:</b>	Victor Fluharty
<b>RESULT:</b>	<b>Pass [7 TO 0]</b>



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<b>YEAS:</b>	Koci, Spinks, Genutis, Fluharty, Smith, Asbury, Saunders
<b>NAYS:</b>	
<b>ABSTAIN:</b>	

- c. **ORDINANCE NO. 075-23:** AN ORDINANCE ENACTING CHAPTER 751 “VIDEO SURVEILLANCE SYSTEMS FOR APARTMENT COMPLEXES” OF THE BUSINESS REGULATION AND BUILDING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD TO REQUIRE APARTMENT COMPLEXES TO INSTALL VIDEO SURVEILLANCE SYSTEMS AND PROVIDE ACCESS TO THE BEDFORD POLICE DEPARTMENT **(1st RDG. 9/18/23, 2ND RDG. 10/2/23) Was read by title only.**

<b>MOTION:</b>	Motion made by Smith and seconded by Jeff Asbury to place said ordinance/resolution on First Reading.
<b>MOVER:</b>	Frank Smith
<b>SECONDER:</b>	Jeff Asbury
<b>RESULT:</b>	<b>Pass [7 TO 0]</b>
<b>YEAS:</b>	Koci, Spinks, Genutis, Fluharty, Smith, Asbury, Saunders
<b>NAYS:</b>	
<b>ABSTAIN:</b>	

- d. **ORDINANCE NO. 076-23:** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ASSURED PARTNERS OHIO LLC WHO IS THE CITY’S BROKER FOR CYBER RISK LIABILITY INSURANCE AND DECLARING AN EMERGENCY **Was read by title only.**

<b>MOTION:</b>	Motion made by Saunders and seconded by Jeff Asbury to suspend the rules requiring the reading of said ordinance/resolution on three different days.
<b>MOVER:</b>	Donald Saunders
<b>SECONDER:</b>	Jeff Asbury



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**RESULT:**        Pass [7 TO 0]  
**YEAS:**            Koci, Spinks, Genutis, Fluharty, Smith, Asbury, Saunders  
**NAYS:**  
**ABSTAIN:**

Mrs. Howland stated the following:

A renewal to authorize expenses for the renewal of the cyber insurance policy  
It is a 1 1/2% increase from last year for the amount of \$31,638.00

**MOTION:**        Motion made by Spinks and seconded by Walter Genutis to place said ordinance/resolution on third and final reading.  
**MOVER:**            Sandy Spinks  
**SECONDER:**        Walter Genutis  
**RESULT:**        Pass [7 TO 0]  
**YEAS:**            Koci, Spinks, Genutis, Fluharty, Smith, Asbury, Saunders  
**NAYS:**  
**ABSTAIN:**

**8. HEARING OF CITIZENS**

Bradford McIntyre, 61 Mortimer Drive: stated the following:

- Friend and neighbor, Mr. Carter, was running for City Council. We felt inspired to make shirts to wear to support him; on the morning of September 11th,
- My wife and I attended the 9/11 Memorial Ceremony held in Bedford Square. I am a United States Marine, and the last thing I ever expected was to be approached in a very aggressive manner by Councilwoman Spinks
- Who informed us that this was not a day for politics that our shirts were not allowed and that we were to remove our shirts, turn them inside out, or leave the event.
- We decided to take the high road and comply as we were embarrassed and did not want to draw more attention.



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- I'm here before Council to officially request an apology for infringing upon our First Amendment rights to freedom of speech.

Councilwoman Spinks stated that she did apologize to you that day. She didn't mean it in a rude way and apologized.

Catherine Chaich, 671 Archer: inquired about the scope of that park-by-park assessment and the project.

City Manager Mallis stated the following:

- The Parks Recreation Director completed the park-by-park assessment, and many different things go into that to ensure that either apparatus is the ground cover. Is that all compliant?
- There are some parks where the swing sets don't have the proper fall zone and some of these fall zones need to meet the adequate radius per se.
- Council does have a brief overview of that, but the Parks and Recreation Director will be coming to an upcoming work session, and we will get into more of that and what funds we're budgeted for this year.
- We did budget about \$75,000 to start turning over parks, meaning some of these have yet to be addressed in years, as we all know. And the idea was, let's start with maybe if it's Taft or Green Croft or whichever park it is, let's start with one. Then, each year, we would budget accordingly.
- The assessment needed to be done first because we wanted to ensure that they were all brought up from a compliance and safety standpoint
- We're looking to utilize the money budgeted for this year and bring in as many, if not all, of the items that need to be addressed from a compliance standpoint and if we can, we're going through the budget process.
- If we're in a position where we can budget next year we are going to start with Taft Park and Greencroft Park

Mrs. Chaich also inquired if the city would have residents involved form a committee, families in that neighborhood that go to the park? Would they be allowed to offer their input to the city at any point? She also stated that there is a lot of mis communication that all of the parks will be eliminated.



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City Manager Mallis stated that we always welcome input. He also stated the following:

- We would most likely be bringing those items up individually before we do anything; there's going to be a discussion held most likely during the ward meetings. This is what the plan is and what we will be doing.
- We're not at the point yet to redo a park.
- That is 100% false.
- There are companies out there that actually provide cell phone data where you can see their frequency, and how many individuals are at different parks.
- Some of this was discussed during the TLC project.
- There was one park that had very limited activity and it was First Street. The apparatus is in very poor shape and we did take that offline. We're keeping that space and we are looking at putting in some benches, maybe a couple of picnic tables.
- But as far as the comment of eliminating all the parks that is 100% not accurate.

Mayor Koci stated to call your Council Member or the City Manager if you have questions so we can answer them. Thank you.

Jennifer Cuthbertson 58 Union Street, Bedford, OH 44146: stated the following:

- There was another car crash last night that was at our neighbor's house that the guard rail is so bad that now it is gone.
- We know there were at least two other incidents as well, so we really, really need some help on Union Street.
- We don't want speed bumps or anything. One person suggested maybe cameras at the corner. The speed limit on the road is 25 miles an hour and nobody, nobody goes. It's 55 or 60 or more all the time and worse.
- We're not so concerned about the guardrail that came down today as much as to prove a point that we still need the one that initiated this whole thing, the one next to the neighbor.
- I'd always been told that the reason there wasn't one there is because he didn't want it. And he told me today, and I have no idea if this is true or not, but that he was



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told years ago when they first put them up that everybody had to sign some sort of liability, that if anybody hit it, they were responsible. The neighbors all signed it. He refused to.

- If you decide a guardrail goes there, it'll go there, right, regardless of what the homeowner wants? It's not a sure thing that it's going back up. Wouldn't it be grandfathered in based on how they were initially installed? But the one that should have been next door should have been the same as all the rest of them. So why couldn't you put it in like that?
- The second point is that the data you're talking about is all based on police reports.
- They're just bouncing off the guard, left or right, and they go through the driveway, the neighbor's yard, and the next driveway.
- Since June, there have been four accidents plus probably half a dozen bouncers.

City Manager Mallis stated the following:

- We don't necessarily have the guardrail that was destroyed. We don't have those to just put right back in place. I'm not saying that that won't go in place. Most likely that one will go back.
- We had our engineer put something together.
- If we were to remove all of those guardrails and put guardrails up, if we were to urge Cuyahoga County or state officials, the one thing that would happen is those guardrails would turn and curve up into your driveways and the public walkway would have to be eliminated. That is the current state standard. I agree that there should be some guardrails there. I think eliminating the public walk creates an even larger hazard because it puts individuals in the roadway walking.
- Under the current standards, there has to be space where if a vehicle if there's an open area of a driveway, it can't go through that driveway and continue to the front yard. The guardrail has to come around and come up your driveway a certain distance at each of those individual locations. That's what was presented to the city. I don't think that you know, if I had to sit and give you my recommendation today, I would say that that would not be something that should be done. I don't think each of those and adding that one in all and having those abutments. So, what it basically protects is if a car comes around that turn and is not turning and heads into that driveway area, it's going to stop because that guardrail is going to bend around. And that does is if you put each of them at all of those locations, which is the



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current state standard for guardrails, it would eliminate the public walk on that whole side of Union Street. I don't think that would be the answer.

- Do I think replacing the guardrail that was damaged is definitely something? I mean, you know, we were made aware of this late last night, early this morning. We don't have one of those where we could just go and pop a new one in.
- The driver was not impaired. They were not impaired, and they were not on a cell phone.
- The reflective tape along the guardrails is something that would be our next step. Obviously, we did the flashing signs.
- Cleveland Heights allows decorative boulders in their front lawns.
- The one that was damaged today I am in favor of getting replaced.
- All the traffic data, all of the accidents, all of that from the last 18 months have been significant. I think there were six or seven incidents in a two-year span; a couple of them came from the opposite way. The data says it's not a warranted location for one and that is what was presented to me.
- You can't take what has happened over a two-year period when you look at the wide range in traffic and how many people travel that space. It's not warranted. I'm not saying that's my point. I'm just sharing. That is what it is.
- So, the number of accidents you have to look at, each specific individual accident, it actually came down to four in where those guardrails actually saved them from going through. The other ones wouldn't have mattered because out of those seven total, two of them were on the other side of the road and did not even hit that area.
- We went back five years and there were four accidents.
- The accidents that were reported to the Police Department, there were four documented accidents that impacted that guardrail. Obviously, there was a fatality.
- But when you look at that, over a long period the amount of traffic that's travelled is not warranted.
- The state guidelines of the guardrails are that they come halfway up the driveway, so if a driver misses they're going off the road where the driveway is, they are going to stop and not enter the front yard or a porch or anything like that.
- If we were to do that, we would have to eliminate the public sidewalk on that bend and I don't think that's the answer either, because I think you get more people walking in the street, and that creates a second hazard.