

Bedford City Council met in a Work Session virtually thru Zoom on Monday, September 8, 2020 at 6:00 p.m.

Present: Council Members: Mayor Stan Koci, Sandy Spinks, Walter Genutis, Vic Fluharty, Paula Mizesak, Heather Rhoades, Don Saunders. Administration: City Manager Michael Mallis, Finance Director Frank Gambosi, Law Director John Montello, Clerk of Council Tracy Simons. Absent: None.

Mayor Koci began discussion of the Regular Council Meeting agenda.

Council had no changes to the minutes of the Work Session of August 3, 2020, and the Regular Meeting of August 3, 2020. There were no corrections to the minutes

Ordinance No. 9798-20: contract with J.D. Striping & Serv. Inc. City Manager Mallis stated that this is a contract for street striping and some of the shorter lines we will continue to perform in house. He continued to state that the crew that was assigned to the striping in years past took over for the lawn maintenance contract. He stated that this contract is for the long line striping and we did receive two quotes the higher quote come in from A & A Safety came in at \$21,681.00 and the lower one from J.D. Striping came in at \$20,871.00 and we've worked with J.D. Striping in the past and we recommend moving forward with this contract. Councilman Saunders inquired about getting the bid out in April when the striping is needed instead of striping the streets for the winter City Manager stated that we did do it earlier last and obviously this year has presented a lot of challenges, not only for our stand point, but from companies stand points as well. He continued to state that we did try and get these quotes earlier and unfortunately this is the soonest that we could get these quotes in and to move on it. He stated that we did it early last year and we want to try and do it early, but that this is where we are at this year.

Ordinance No. 9799-20: contract with Vaughan for chopper pumps City Manager Mallis stated that a few weeks ago he put together a list of improvements that we budgeted for at the Waste Water Treatment Plant and a number of them were minimal cost but this is the one that we wanted to put forward to Council based on the price and do recommend going with Vaughan. They are the sole provider of this service and based of the supporting documents that were provided we recommend going forward with them and making this purchase. Councilwoman Mizesak inquired if this is the big part that goes into the large circle at the base of the hill and City Manager Mallis stated that it is part of the digester upgrade.

Ordinance No. 9800-20: levy assessments for grass cutting & Ordinance No. 9801-20: levy assessments for delinquent water bills Mr. Gambosi stated that we have more that we usually do for assessments this year. He stated that we document these that are here and there is one change to the list and we will remove it tonight to not include that parcel. He continued to stated that they do anticipate a couple of people calling but they are all documented. He stated that the Finance Department worked really hard on it and between the Building Department, Service Department and ourselves a lot of effort goes into putting the report together. He stated that anything \$250.00 or more goes for both types of assessments and they will get a certified letter sent to their homes as per the Ohio Revised Code letting them know that they have the right to pre-pay this before it is put on their taxes. He stated that the water can be done twice a year and the grass cutting is only once a year. He also stated that we usually cut off in July for August

and a lot of that from that time forward goes to the next year on the grass cutting, because we have to cut off prior to giving notice. He also stated that they will be assessed and sent to the County by September. Councilman Genutis inquired if this goes on the property tax and Mr. Gambosi stated if they don't pay it ahead of time and that they have the right to pay ahead of time and it doesn't go on the taxes, but with the County they will wind up paying an extra 1% if it goes that route but either way they have to pay. Councilman Genutis stated that if they don't pay their property tax for an extended period of time it in assents it works like a lean against the property, in that they still owe their taxes should they try and sell the property is that correct. Mr. Gambosi stated that in priority of court they will pay taxes first, assessment and then there are leans, so assessments come before leans. Councilman Genutis inquired that in the past you were able to come up with the actual cost and Mr. Gambosi stated that the actual cost is equal to more than what we are already spending on this. Councilman Genutis also inquired about what happens when it gets into the thousands of dollars and wanted to know if there was a way to mitigate it and Mr. Gambosi stated that they are given a notice that their grass is high and they ignore it and for some reason they don't respond. Mr. Gambosi also stated that a lot of these people are repeat offenders year after year. He continued to state that we send notices to everyone on these. Councilwoman Spinks stated that we are chasing ghosts on it and the costs goes up and up, while we have our guys doing the work on and the city is never going to see the money. Mr. Gambosi stated that if it transfers on property it's required in the transfer to pay it. City Manager Mallis stated that the issue is that it's a County issue and their major issue is tax delinquencies and they want to try and address those. Mr. Gambosi stated that last year they didn't go after people and go for foreclosures and this year with COVID you won't be able too, so the more you do this the less the records are up to date on the County level and at the same time you aren't going to have people going after the money.

Ordinance No. 9802-20: contract with United Services, Inc. for 2020 Sewer Maintenance Program City Manager Mallis stated that this is a project that we went out for bid and we were successful in getting a \$150,000.00 grant through CDBG and the County and Mrs. Kuzma put it together with Mr. Bellar and Mr. Francis. City Manager Mallis stated we identified areas that we've known in the past that we need to look into and when we broke it down and looked at it based on what we have to spend we're going to non-perform the storm sewer system, but we believe that it is very important and our primary focus is the televising and cleaning the sanitary lines on all of the streets list including Best St. we will come in just over \$133,000.00 and we recommend moving forward with United Survey based on the bid amounts. City Manager Mallis stated that it will be completely funded through the grant and there is no match to this. Mr. Gambosi stated that is why the whole project had to be reduced down to equal what the grant was for this year and we can apply for more in the future and that is possibly what we will do in the future to complete that project. Councilman Saunders inquired if it includes the cleaning and City Manager Mallis replied that yes it does and that the plan is to identify any issues. He stated that we haven't done a large-scale project like this in 19 plus years and we are able to do something like this again but the down side is that he is certain that it will identify so trouble areas that we are going to need to go back into and address. Councilman Saunders stated that it is one of those maintenance things that is needed periodically and it can tell you a lot about a pipe. City Manager Mallis stated that it is over due and instead of us chasing issues the proper way to do it is to perform work like this and then get in and address your troubled areas and that is what we are intending to do.

Motion to approve the Planning Commission's decision to accept the zoning permit to install roof mounted solar photovoltaic system on the North side (rear) of the dwelling to Ellen Traylor, 83 Ellenwood Ave., Bedford, OH 44146. City Manager Mallis stated that it is going on the rear roof part of the property and the Planning Commission had no issues and it was unanimously approved. Councilman Genutis stated why the Planning Commission would have to approve a solar panel on the rear because our ordinances allow for it and he stated that they were originally installed on the front of the house and then they had to move them to the rear and 15% less efficient in the back. City Manager Mallis stated that he would have to double check but that he thought that their initial intention was to put it on the entire roof and then they back off and it was only put on the rear of the roof. Mayor Koci stated that it is a simple yes or no answer.

Motion to approve the Planning Commission's decision to accept the board approved use to operate a permanent cosmetics studio to include (2) two manicure/pedicure stations. A permanent cosmetics business defined by the State of Ohio Administrative Code Chapter 3701-9-01 (F) as Body Art. Included for clarity is the definitions of Body Art and Body Art Establishments and manicurist to Jermaine Bennett, 240 Barrington Pl., Aurora, Ohio 44202. City Manager Mallis stated that it at 450 Broadway Ave. and it is the building right next to Coffee Cup. He continued to state that it is the existing cosmetics business. He also stated that Council and the Planning Commission approved a cosmetic business that was going to relocate pre-COVID and that ended up not occurring, but the building owner is working with the current company that is there and they want to expand. He stated that the initial approval did not cover this so they wanted to go back in and get it modified so they could expand in that operation to the permanent cosmetic business, body art and art establishment.

Discussion of the Regular Meeting agenda was concluded.

Mayor Koci began discussion of Vegetable Gardens and Councilman Genutis that there are a couple of issues and that we mean to follow the ordinances, but this garden in his yard prior to changing the law and it would be terrible that something like this should be illegal, but the whole issue is that you can't have a garden in front of the front building line. He continued to state that other communities really don't address vegetable gardens because all their ordinances really involve blighted conditions, high weeds and things like that. He stated that we talked about this before and that a front yard garden might be unsightly or something, but there are situations where there isn't much recourse in the way the property is configured, and he started thinking of different way to make it so that you can have a garden and be okay. He stated that he would prefer to remove the one line that says "no gardens in front of the front building line" but he also understands everyone's concerns about it, and with this amendment it should be to adjust allowance in certain circumstances prevail. Councilwoman Rhoades stated that no other municipalities even have laws about gardens and she isn't quite sure why we do. Mayor Koci stated that if a garden like Councilman Genutis was in his neighborhood it would be a real vision hazard. Councilwoman Rhoades stated then we shouldn't allow hedges or trees in the front yard because they all have the potential to block your vision of traffic. She stated that she visually doesn't have a problem with Councilman Genutis garden but does understand how visually someone would have a problem with it, then we firm that up in the lawn and grass part, but in terms of writing laws about gardens it seems awfully selective. She continued to state what constitutes a vegetable and a fruit garden and Mayor Koci replied with tweaking the language a little bit, but to have a full-blown garden in your front yard is pretty unsightly. Councilwoman Rhoades stated that the there is no real definition of what makes a vegetable garden or a fruit

garden. Mayor Koci stated that the bigger problem is in the fall when everything dies then it doesn't look nice. Councilwoman Rhoades stated that we are better off firming up the weeds and tall grass part then to have a part about vegetable gardens and that would be really difficult to enforce in a court of law, because of the fact that there is no real definition for what constitutes a garden. Councilman Genutis stated that we have laws about blighted conditions and even if they weren't vegetables and they were unsightly there are other laws that pertain blighted conditions or have weeds. Councilwoman Spinks stated we need to reword this and do something about it and there still has to be guidelines. City Manager Mallis stated that separating out and with what Mr. Montello put in and just trying to look at both sides and come up with something that is manageable to where we can possibly address everything. He continued to state that what was proposed Mr. Montello did separate out the removal of weeds and tall grass from the gardens and that can continue to be tweaked and this is just a draft. He stated that if we leave in the garden to where it's in the rear of the property but we add in some type of clause that is almost like a variance that would allow us to work with the public for those that want to have it and aren't able to right now with how it is worded and it also separates out the weeds and high grass. Councilman Genutis stated that he agreed and that you have to make accommodations for people and we are making laws on our subjective choice of esthetics, but when it comes to preventing someone to grow food on their yard it would be very difficult in a court of law to try and defend not allowing someone to grow a plant in their yard. Mayor Koci stated that there should be some stipulations on whether it's flowers or vegetables there still has to be some guidelines. Councilwoman Rhoades stated that it needs to count towards flower beds. Councilman Saunders stated that most communities have an offset from the front right-away that you can't have anything more than 3 feet high, because that is the height when you are sitting in a vehicle. He continued to state that for vegetable gardens in the front yard that courts have ruled that front yards are more esthetic, but as long as it is set back far enough so it doesn't become an obstacle for traffic in and out. Mayor Koci stated that we can look at tweaking it a little more and maybe get some specifics so we can actually talk about something and include some of those flower situations in here as well. He also stated that he is looking at the safety as far as kids coming by and what happens to gardens when they die out. Councilman Genutis stated that you have to have some wording in there that talks about maintaining them all seasons. Mayor Koci stated that if we start tweaking it a little bit and have something more solid to define. Councilwoman Rhoades stated that we should also look at adding critters and it's been established that there is some sort of animal problem connected to the area and it is something common when people have laws against gardens and their biggest concern is animal. Councilwoman Spinks stated that we have to set boundaries.

Discussion of Vegetable Gardens was concluded.

Mayor Koci stated that the parking of cars on the lawn and on side laws is getting out of hand again. Councilman Fluharty stated that he has been getting complaints of people parking on the sidewalk. Mayor Koci stated that if we could get attention on that he would appreciate it.

Councilwoman Mizesak stated that a resident has been walking noticed that there are a lot of tree branches hanging from trees in their tree lawns and City Manager stated that we are going through the City and doing some trimming up until about two weeks ago and he will put that on the list specifically for the arborist. He continued to state that if anybody has some issues or concerns with tree branches call them in and let us know that is our preference.

Councilman Saunders stated that someone has a rooster on Lincoln Blvd. and the people want it out of there. City Manager Mallis stated that he was made aware of it and he passed it onto the Animal Warden and we are care of it.

Adjourned into Executive Session at 7:02 p.m.

Motion made by Rhoades and seconded by Genutis to go into an Executive Session to discuss Economic Development: B2-A Zoning, Tinkers Creek Commerce Park and Meadowbrook and Personnel: Staffing Departments. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

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

Adjourned out of Executive Session at 7:55 p.m.

Work Session adjourned at 7:55 p.m.


Clerk of Council


Mayor – President of Council

10-5-20
Date

Bedford City Council met virtually via Zoom for the Regular Session at Bedford City Hall on Tuesday, September 8, 2020. Mayor Koci called the meeting to order at 8:00 P.M. The meeting was opened by pledging allegiance to the flag.

The roll was called. Present: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders.

Motion made by Spinks and seconded by Mizesak to approve the minutes of the Work Session Meeting of August 3, 2020. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Abstain: None. Motion carried.

Motion made by Genutis and seconded by Rhoades to approve the minutes of the Regular Meeting of August 3, 2020. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Abstain: None. Motion carried.

City Manager Michael Mallis stated that starting September 14th the Fire Department will be working with the Water Department to start flushing the hydrants throughout the City. He also stated that the Civil Service Commission will be giving a Fire/EMS entry exam on September 26th and for more information please visit the City's website.

City Manager Mallis thanked everyone for their cooperation for the City's road program specifically the Forbes Rd. Project and the detours. He continued to stated it is completed and there is still some striping to do on Forbes Rd. He stated that a preconstruction meeting was held last week with a contractor that will be starting our sewer cleaning and maintenance program for this year and that the city was awarded \$150,000.00 CDBG Grant. He continued to stated that the City will be working with a contractor in specific areas of the City televising and cleaning areas of the sewer and the project will start on Henry St. and targeting some of the streets up on the hill. He continued to stated that there is no estimated time of completion it all depends on how smooth the project goes. He stated that the project will start on September 14th. He stated that the City experience a significant amount of rain fall yesterday and that we did have residents that experienced flooding and if residents are still have issues please contact the Service Department and the phone number is located on the City's website or send an email and see what we can do to assist.

City Manager Mallis stated that if you have any comments for the Hearing of Citizens portion of the meeting you can email them to citymanager@bedfordoh.gov

That concluded the City Managers report.

Law Director John Montello had nothing to report this evening.

That concluded the Law Director's report.

Finance Director Frank Gambosi stated that we have the Civil Service will be giving the Fire/EMS entrance exam on September 26 and they are still excepting applications. He also stated that in late September there will be a records destruction day and to check the City's website for the proper date.

Mr. Gambosi stated that those who are applying for water discounts this year we are excepting them if they are sent to our Tax Department at 165 Center Rd. and mark on the envelope that it is for the water discounts application. He continued to state that you can also drop it off at City Hall at the Tax Department drop off box and we process those shortly for the year 2021.

That concluded the Finance Director's report.

Councilman Saunders inquired if everybody has to refile every year for the water discount and Mr. Gambosi stated that yes, it is in the ordinance that you must refile every year. Mr. Gambosi stated that the forms were already sent out to those who had discounts last year and if you need other we have them available in the Tax Department.

Councilman Saunders stated that there is something wrong with the main sewer line down on Burrwin and that the houses have had their sewers televised and they are clean and it is still backing out and City Manager Mallis replied that he has spoken with the staff and a couple of the residents there and our staff is looking at that.

Council Saunders stated that the other sycamore tree located on Ennis St. is dropping branches and that we may want to look into that tree, because people in that area are worried that their cars are going to get hit again like it did with the other one.

Councilman Saunders stated that the man hole on Columbus St. has been blowing water every time it rains and the residents in that area are a little mad that we haven't done anything in decades and inquired if it was an area that we can televise and City Manager Mallis stated that he will have our crews take a look at it again. Councilman Saunders stated that there is a problem somewhere and it needs to be looked at a little bit more thoroughly and if they took a quick look at it, it would be much appreciated for the people who live in that area.

Councilman Saunders stated that the concrete section by the VFW on Forbes Rd., when they poured it two days later they were running equipment on it and concrete when freshly poured should have no traffic on a minimum of ten (10) days and doesn't fully cure for twenty-eight (28) days. He also stated that the concrete could have a problem at a later date, because they put some heavy equipment it.

Councilwoman Spinks stated that today was the first day of school and she knows that there were are a few glitches and that it will be strange for the students and the teachers for a while. She also welcomed the students back to school and hopes that they stay safe. She inquired if the chipper service will be out this week due to the holiday being yesterday and City Manager Mallis stated that it will be out this week. She also inquired if the garbage pick-ups some old boards at a house located on Willard Ave and if they don't who does, because they have been sitting there for about two weeks and City Manager Mallis replied that the garbage did not collect them and wanted to know the address.

Councilwoman Spinks gave an appreciation to the Bedford Downtown Alliance for the Road to Freedom Mural that went up. She stated that she is very excited and that it great to finally see art

and a part of history in our beautiful downtown and that she hopes that this is just the beginning of a bunch of art work that will be going on in our city.

Councilman Genutis stated that he was very happy to sit in his back yard and hear the high school football game on Friday evening. He continued to state that it is great that they are doing the games and that the kids have endured a lot and his heart goes out to them. He also stated that the mural is really exciting and if anyone hasn't seen it please go down and see it, it is really a good thing.

Councilman Fluharty stated that he has received some calls regarding where to vote in their ward since the Villa Hearts will not be used and that he still hasn't received an answer from the Democratic Party down in Cleveland. He continued to stated that they are voting on where they are going to have it and when he does receive an answer he will make the announcement.

Councilman Fluharty stated that he has been getting some complaints about holes starting up on Union St. and inquired if there can be some patching or surfacing done to smooth it out until next year. He also stated thanks for getting Forbes Rd. done and working with the Village of Oakwood and getting open again.

Councilwoman Mizesak stated that Ward 4 is doing well and that a lot of the new neighbors have made friends. She thanked Billy, who works for the City, for keeping the flowers in the downtown area so beautiful, and he does a great job all year long.

Councilwoman Mizesak stated that when she says say something or do something if something should happen to you over a period of time she explained about a situation that happened to her at a local gas station. She also thanked Officer River, who was one of the best guys that took care of her that day.

Councilwoman Mizesak stated to say a prayer for the two officers that lost their life over the weekend.

Councilwoman Rhoades stated that the Garden Club is putting on their Annual Pink Mum Sale, it is Bedford's official flower. She also stated that if you would like to show off your Bedford pride you can go to: bedfordgardenclub.com/mum-sale and it will take you to the mum sale. She continued to that that you will be able to pick them up on Saturday from 10:00 a.m. to 1:00 p.m. and any that are not picked up they will be delivering to local addresses. She also stated that you can pay online, but if you do not want to pay online please email her at: heather@bedfordward5.com and let her know what you would like to order and it will be ready and pay for it on Saturday.

Councilwoman Rhoades stated that we have a beautiful new mural in our downtown area by Mr. Stewart and Mrs. Chaich both worked very hard on it and we appreciated their efforts towards it. She also stated that the Road to Freedom Mural will be doing an unveiling ceremony on Saturday and it will be at noon. She stated to come on down to celebrate a beautiful piece of artwork to our area and that this is not the last beautiful piece of artwork that we plan on bringing to the downtown area. She continued to state that one of the goals for the Bedford Downtown

Alliance is to bring delight and serendipity to our downtown area through art. She stated that another mural is in the works and that we would like to see more projects come up. She also stated that she would like in to invite all Bedford residents to help the Bedford Downtown Alliance to make more art, more fun and joy to our downtown area. She stated that the next meeting for volunteering is the 4th Thursday of the month at 7:00 p.m. at DePompei's.

Mayor Koci stated that he hopes that everyone is staying safe and hopefully we will be working our way out of this COVID situation soon, lets work on it and stick together to try and get back normal as best as we can.

ORDINANCE NO. 9803-20, AN ORDINANCE AMENDING ORDINANCE NO. 9738-19 MAKING ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF BEDFORD, OHIO DURING THE YEAR 2020 AND DECLARING AN EMERGENCY was read by title only. Motion made by Rhoades 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, Mizensak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Motion made by Fluharty and seconded by Rhoades to place Ordinance No. 9803-20 on third and final reading and passed.

Mr. Gambosi stated that we have quite a few adjustments to the budget this year. He continued to state that there are some electric bills high in the Recreation Department, there were a substantial amount of refunds that we gave back out to the public for functions, there unemployment benefits there were paid out from Recreation, Building Department had software costs for a new system, substantial amounts of COVID cleaning contracts for all of the departments as well as PC's and laptops to work from home for some individuals, SEAL Program obtained a grant to help with the Drug LEF Program, streets were reduced this year, because the gas tax has been substantially down in what we received this year, a lawn mower was purchased out of street, we also had a numerous amounts of Police grants and small items there, tonight there will be some engineering costs for Forbes Rd., streets there are engineering costs. He continued to stated that they starting to work on a waterline on Ellenwood and there are preliminary planning costs, there was also the Woodcreek trunk engineering. He stated that the original ordinances address the construction only and didn't address the engineering part and now we are addressing the engineering part that goes with each of those projects. He continued to state that there were two major ones in the sewer monitoring that the EPA required for the sewer fund, and finally the CDBG grant that we received from the county for cleaning and sewer televising costs.

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

ORDINANCE NO. 9804-20, AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO PAY GPD GROUP (GPD) ENGINEERING FEES FOR THE FORBES ROAD RESURFACING AND DECLARING AN EMERGENCY was read by title only. Motion made by Saunders and seconded by Mizensak to suspend the rule requiring the reading of said ordinance

on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Motion made by Rhoades and seconded by Genutis to place Ordinance No. 9804-20 on third and final reading and passed.

Mr. Gambosi stated that these three are all what we referred to in the appropriation ordinance that we are going to be allowing the expenses associated to the engineering on the projects that we already approved in prior ordinances for Forbes Rd, street improvement program and for Ellenwood Waterline.

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

ORDINANCE NO. 9805-20, AN ORDINANCE AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO PAY GPD GROUP (GPD) FOR ENGINEERING FEES FOR THE 2020 STREET IMPROVEMENT PROGRAM AND DECLARING AN EMERGENCY was read by title only. Motion made by Saunders and seconded by Rhoades to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Spinks to place Ordinance No. 9805-20 on third and final reading and passed.

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

ORDINANCE NO. 9806-20, AN ORDINANCE AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO PAY GPD GROUP (GPD) FOR ENGINEERING SERVICES IN ANTICIPATION OF THE NECESSARY ELLENWOOD WATERLINE REPLACEMENT PROJECT AND DECLARING AN EMERGENCY was read by title only. Motion made by Fluharty and seconded by Genutis to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Fluharty to place Ordinance No. 9806-20 on third and final reading and passed.

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

ORDINANCE NO. 9807-20, AN ORDINANCE AMENDING ORDINANCE NO. 6950-97 SECTION 1341.19 ENTITLED “REMOVAL OF WEEDS BY OWNER, OCCUPANT; NOTICE” OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD AND DECLARING AN EMERGENCY was read by title only. Motion made by Spinks and seconded

by Genutis to place Ordinance No. 9807-20 on First Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizzsak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9808-20, ORDINANCE APPROPRIATING THE CITY'S CORONAVIRUS RELIEF FUND PAYMENT RECEIVED PURSUANT TO AMENDED SUBSTITUTE HOUSE BILL 481 TO THE CITY'S COVID-19 RESPONSE AND DIRECTING THE CITY MANAGER TO DECLARE A PROCLAMATION was read by title only. Motion made by Mizzsak and seconded by Rhoades to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizzsak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Motion made by Fluharty and seconded by Genutis to place Ordinance No. 9808-20 on third and final reading and passed.

Mr. Gambosi stated that this ordinance in working with our Law Director and outside Council, we have determined that we are looking to utilize the first responders and their costs associated for substantially directing their time and their new tasks that they have in dealing with the COVID-19 responses with the EMS squad. He continued to state that the Department of Treasury come out with guidelines on how the funds can be spent, as well as working with the Ohio Budget and Management Department in working with them in regards to the way that this ordinance has to be worded, the way that we are directing our employees and the way that we account for all of these funds that are being spent. He stated that this will allow the city to utilize the funding that we receive from the CARES Program and it is the start of the process that allows us to do so.

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

ORDINANCE NO. 9809-20, AN ORDINANCE REZONING PERMANENT PARCELS NOS.: 812-04-001, 812-04-002, 812-04-003, 812-04-004, 812-04-040, 812-03-012 and 812-03-013 LOCATED AT HARRISON STREET DESCRIBED HEREIN FROM "I-1" TO "B-2A" CLASSIFICATION AND DECLARING AN EMERGENCY was read by title only. Motion made by Rhoades and seconded by Genutis to place Ordinance No. 9809-20 on First Reading. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizzsak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

ORDINANCE NO. 9810-20, AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH NICKS TREE SERVICE AND DECLARING AN EMERGENCY was read by title only. Motion made by Spinks and seconded by Saunders to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizzsak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Motion made by Genutis and seconded by Fluharty to place Ordinance No. 9810-20 on third and final reading and passed.

City Manager Mallis stated that this a combination of two projects and the first one is that we identified sixteen (16) trees that are large, hazardous and to large for our crews to take down. He stated that Nick's Tree Service was the lowest, most responsible and we've worked with them before. He stated that our Parks and Recreations Department is doing a park-by-park assessment and they've identified a long list of trees throughout various city parks. He continued to state that Nick's Tree Service came in at the lowest and most responsive as well. He stated that the idea that we combine them both into one ordinance and to go forward with Nick's Tree Service to take care of all these trees.

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

ORDINANCE NO. 9811-20, AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CAMPOPIANO ROOFING FOR ROOF REPLACEMENT AT THE SERVICE DEPARTMENT AND DECLARING AN EMERGENCY was read by title only. Motion made by Genutis and seconded by Saunders to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Genutis to place Ordinance No. 9811-20 on third and final reading and passed.

City Manager Mallis stated that were planning on doing a project down at the Service Garage and it is budgeted for and that we have some issues with a portion of the roof down at the Solon Rd. garage and we want to get the roof replaced. He continued to state that we added in the do not exceed in this ordinance because there is a possibility of hidden work such as replacing some of the metal decking as well as some rotted panels and that is why it is written in that fashion. He continued to state that Campopiano has done a portion of the Service Garage in the past and we were every happy and recommend going with this improvement.

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

ORDINANCE NO. 9812-20, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE VILLAGE OF OAKWOOD ALLOWING THE CITY OF BEDFORD TO CONDUCT RESURFACING OPERATIONS ON FORBES ROAD IN THE VILLAGE OF OAKWOOD AND DECLARING AN EMERGENCY was read by title only. Motion made by Genutis 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, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Genutis to place Ordinance No. 9812-20 on third and final reading and passed.

City Manager Mallis stated that the Village of Oakwood reached out to us and we were in the process of doing the Forbes Rd. resurfacing in working with the county far as Bedford and the 50/50 grant and with our contractor already being there they wanted to take steps that they needed to get their portion resurfaced. He stated that we are working with them to do it and they are working with our contractor. He continued to stated that Bedford will cover the cost of those additional expenses until October 15th, the Village of Oakwood is going to pay for 100% of the costs associated with that resurfacing and pay us back, they will also pay for any additional remobilization charges, inspection charges and any other fees administrative by that deadline.

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

ORDINANCE NO. 9813-20, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CHANGE ORDER FOR THE FORBES ROAD RESURFACING WITH BURTON SCOTT CONTRACTORS, LLC. (“BURTON”) AND DECLARING AN EMERGENCY was read by title only. Motion made by Genutis and seconded by Saunders to suspend the rule requiring the reading of said ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Motion made by Genutis and seconded by Spinks to place Ordinance No. 9813-20 on third and final reading and passed.

City Manager Mallis stated that this additional \$50,000.00 represents the additional work that he had discussed in the previous ordinance and the estimate for Oakwood Village is about \$42,000.00. He continued to state that a small portion of Bedford’s work is about \$4,000.00 and that is why it is a do not exceed \$50,000.00 and from Bedford’s stand point we will come in under budget.

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

ORDINANCE NO. 9814-20, AN ORDINANCE AMENDING SECTION 1949.19 OF THE PLANNING AND ZONING CODE ENTITLED “SIGNS PERMITTED IN B-2A DISTRICT” OF THE CITY OF BEDFORD, 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 ordinance on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Motion made by Saunders and seconded by Rhoades to place Ordinance No. 9814-20 on third and final reading and passed.

City Manager Mallis stated that it is cleaning up an ordinance that we updated last year and our previous sign ordinance had a thirty (30) foot on pole signs through out the B-2A District and it

was left out of those updates and we simply want to add that back in so we are consistent with the current signage that is there. He continued to state so anybody in the future looking to add signage that it will be consistent within the district.

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

RESOLUTION NO. 2555-20, 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 made by Genutis and seconded by Spinks to suspend the rule requiring the reading of said resolution on three different days. The roll was called. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried unanimously.

Motion made by Mizesak and seconded by Genutis to place Resolution No. 2555-20 on third and final reading and passed.

Mr. Gambosi stated that this is our annual resolution that we have to determine the amount of millage for the City of Bedford only and not including assessments that will be associated to all of the tax bills in the year 2020 collected in 2021. He continued to state that it is the second phase for the budget for the year of 2021 Tax Budget and now we have the adoption of the Tax Levies.

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

Motion was made by Spinks and seconded by Genutis to approve the Planning Commission's recommendation to accept the Planning Commission's decision to accept the conditional use approval to construct a new two-family dwelling on the vacant parcel located in an R-2 one and two-family residence district known at 1275 Broadway Ave., Bedford, OH 44146. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried.

Motion was made by Rhoades and seconded by Genutis to approve the Planning Commission's recommendation to approve the Planning Commission's decision to accept conditional use approval to construct six new two-family dwelling on the vacant parcels located in an R-2 one and two-family residence district noted above know as Belle Court, Bedford Ohio 44146. Vote – Yeas: Koci, Spinks, Genutis, Fluharty, Mizesak, Rhoades, Saunders. Nays: None. Motion carried.

Mayor Koci said that concluded the business portion of the meeting and asked if anyone had any comments to send emails to citymanager@bedfordoh.gov.

Ms. Shaffer, Greencroft stated that the parking in that area and that a few signs need to be put up on certain sections of the street. She continued to state that we do have a problem with parking on both sides of the street, so if the signs were put up on the fire hydrant side of the street that

would eliminate a big part of the problem, also if the nightly parking ban would be enforced consistently and tickets issued that too would eliminate a lot of the problem. City Manager Mallis stated that we talked about a lot of that in the Work Session and he wasn't quite sure what portion of the meeting she intended that for.

Mayor Koci stated that we already have an ordinance that there is no parking on the hydrant side of the street unless it is other wise posted and maybe we just need more signage.

Ilene Barto, 155 W. Glendale, Bedford, OH stated that she hopes tonight's discussion during the Work Session isn't trying to once again open the doors for a citywide parking ban on street parking, which she is strongly against. She continued to stated that every five or six years she is speaking before Council regarding parking on city side streets. She also stated that this topic was talked about extensively in 2008 and please go back and look at the minutes and all of the time spent discussing the topic. She also thanked Councilwoman Mizensak and Councilwoman Rhoades for the comments made during the Work Session and tonight they were the voice of reason for the issue, which is what I said the last time that I spoke before Council regarding on street parking. She continued to state that if we enforce the ordinances on the books and increase the fines for repeat offenders, possibly fix signage in problem areas there shouldn't be a need to re-discuss parking year after year.


Mayor Koci stated that we decided back in 2008 that instead of doing a blanket no parking in the city that we would concentrate only on areas that come up that maybe a problem and that is why this has come up to talk about specific problem areas it is not to blanket the whole city. He continued to state that these parking issues will come up from time to time and that we decided we will deal with them as they come.

Mayor Koci also mentioned the passing of former Fire Fighter Mr. Babyak.

Councilwoman Spinks thanked Councilwoman Mizensak for sharing the incident that happened to her, because it was broad daylight when it happened so be aware of your surroundings. Councilwoman Mizensak stated that when this happened I just froze and I wanted to get home to my husband, but we have to stand up for one another, be here to support each other, put things on the side that shouldn't be and the future has to be for all of us and for the kids.

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

Meeting adjourned at 9:04 P.M.


Clerk of Council
10-5-20
Date


Mayor – President of Council