

REQUESTS FOR COUNCIL ACTION/DISCUSSION

Finance Committee

- 19-170-10/15 – Repay Fund Advances
- 19-171-10/15 – Fund Advances
- 19-172-10/15 – Budget Amendments
- 19-173-10/15 – Clarification of Drug-Free Workplace Policy
- 19-174-10/15 – Retro Pay for Chief Probation Officer Training
- 19-175-10/15 – Vacating City R-O-W from Church Property
- 19-176-10/15 – Expenditure, CHIP Rehab – 603 S. Broadway
- 19-177-10/15 – Then & Now – Hinckley Roofing (CHIP Rehab)
- 19-178-10/15 – Expenditure – MMHA for Emergency Housing Assistance Program
- 19-179-10/15 – Amend. Res. 178-07 – Community Reinvestment Area
- 19-180-10/15 – Terminate Job Creation Grant – Medina Plating and Powder
- 19-181-10/15 – Accepting Budget Commission Amounts & Rates
- 19-182-10/15 – 2020 MCRC Part Time Pay Rate Schedule
- 19-183-10/15 – Amend S&B, MCRC – New P/T Position / Change Job Code
- 19-184-10/15 – Expenditure – Chippewa Roofing – Muni Court Roof
- 19-185-10/15 – Amend Ord. 114-19 – Account Numbers
- 19-186-10/15 – Dedication Plat for Commerce Drive
- 19-187-10/15 – Increase Expenditure – Lake County Sewer Co. – Street Dept.

10/15/19

REQUEST FOR COUNCIL ACTION

No. RCA 19-163-9/9
Committee: Emerging Technology
To: Finance 10/15

FROM: Sgt. Darin Zarembo, IT / Keith Dirham
DATE: September 3, 2019
SUBJECT: Update Financial Software for City

SUMMARY AND BACKGROUND:

Request is to discuss updating the City's current financial software.

See attached quote from Software Solutions (\$156,700) and comparison quote from BS&A Software (\$287,315).

*Antiquated Software
Save time
Payroll put in hands of dept heads.
New software is a browser - more work from home capability.
Coyne - Dashboard? Can public have access? Darin - Report ~~is~~ driven
Lori - Council can have login to run any report you need.
Can you integrate 5-yr plan in it? Keith - will be better.
Two bids - is there any others? Software Solutions has many costs in Ohio,
Darin - Did price check - amt of savings 50%.
Data conversion very expensive.
Coyne - Maintenance Costs? - current \$25,000 (Gave 2 yrs data)
Court contribute? Rec Center - will they integrate?*

Estimated Cost: \$ 22,000 - Water (utility billing) 513-0708-54413 -
\$134,700 - IT 388-0714-54413

Suggested Funding:

- sufficient funds in Account No.
- transfer needed from Account No. to Account No. 513-0708-54413
- NEW APPROPRIATION needed in Account No.

*Keith to:
redistribute costs*

Emergency Clause Requested:

Reason:

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken: *9-24-19 JS/jc Subj to Final Allocation obcosts*
3-0

Ord./Res.
Date:

Medina VIP Upgrade

Quote

Prepared For:
Medina, City of
 Keith Dirham
 132 N. Elmwood
 Medina, OH 44258-0703
 P: (330) 722-9051
 E: kdirham@medinaoh.org

Prepared by:
Software Solutions
 Kevin Nye
 8534 Yankee Street, Suite 2B
 Dayton, OH 45458
 P: 513.932.6667
 E: knye@mysoftwaresolutions.com

Date Issued:
09.02.2019
 Expires:
11.29.2019

Software & Implementation	Price	Qty	Ext. Price
VIP ACCOUNTING			
VIP Accounting Suite License	\$32,000.00	1	\$32,000.00
VIP Accounting Platinum User Discount	(\$32,000.00)	1	(\$32,000.00)
VIP Core System Implementation Services Accounting Conversion is for current year and 4 years of history. Conversion will be for years 2016, 2017, 2018, 2019, 2020.	\$20,000.00	1	\$20,000.00
VIP Accounting Subtotal			\$20,000.00
VIP PAYROLL			
VIP Payroll Suite License	\$32,000.00	1	\$32,000.00
VIP Payroll Platinum User Discount	(\$32,000.00)	1	(\$32,000.00)
VIP Core System Implementation Services Payroll Conversion is for current year plus 2 years of history. Conversion will be for years 2018, 2019, 2020.	\$20,000.00	1	\$20,000.00
Time Card interface with Timeclock Plus included	\$0.00	1	\$0.00
VIP Payroll Subtotal			\$20,000.00
VIP UTILITY BILLING			
VIP Utility Billing Suite License	\$36,000.00	1	\$36,000.00
VIP Utility Billing Platinum User Discount	(\$36,000.00)	1	(\$36,000.00)
VIP Implementation for Utility Billing	\$22,000.00	1	\$22,000.00
VIP Work Orders Included	\$0.00	1	\$0.00
Handheld Interface Included	\$0.00	1	\$0.00
VIP Utility Billing Subtotal			\$22,000.00
NEW MODULES			
VIP DEPARTMENTAL PURCHASING			
VIP Departmental Purchasing, Vouchering/Invoice Approval License	\$15,000.00	1	\$15,000.00
VIP Departmental Purchasing Platinum User 20% Discount	(\$3,000.00)	1	(\$3,000.00)
VIP Workflow Implementation Services for Departmental Purchasing	\$9,500.00	1	\$9,500.00
VIP Departmental Purchasing Subtotal			\$21,500.00



Software Solutions

Personal Attention. Public Solutions.

Software & Implementation	Price	Qty	Ext. Price
VIP DEPARTMENTAL TIME ENTRY			
VIP Departmental Timecard Entry License	\$15,000.00	1	\$15,000.00
VIP Departmental Time Entry Platinum User 20% Discount	(\$3,000.00)	1	(\$3,000.00)
VIP Workflow Implementation Services for Timecard Entry	\$9,500.00	1	\$9,500.00
VIP Timecard Entry Subtotal			\$21,500.00
VIP ASSET MANAGEMENT			
VIP Asset Management License	\$10,000.00	1	\$10,000.00
VIP Asset Management Platinum User 20% Discount	(\$2,000.00)	1	(\$2,000.00)
VIP Implementation & Conversion Services	\$6,000.00	1	\$6,000.00
VIP Asset Management Subtotal			\$14,000.00
VIP ANALYTICS			
VIP Analytics Suite License	\$15,000.00	1	\$15,000.00
Visual Budgeting & Reporting Included			
Visual Consoles Included			
Implementation Services VIP Analytics	\$9,000.00	1	\$9,000.00
Optionally, the city may want to add additional professional services for SSI staff to work directly with departments to set up their dashboards in Analytics for access to their budget information.			
VIP Analytics Personnel Budgeting License	\$5,000.00	1	\$5,000.00
Configuration of Payroll Personnel & Budgeting	\$5,000.00	1	\$5,000.00
VIP Analytics Subtotal			\$34,000.00
VIP Concurrent User Licenses - 25 included	\$0.00	25	\$0.00
Post Live Services			
Server Technical Setup Assistance	\$1,300.00	1	\$1,300.00
Post Live Training Day	\$1,200.00	2	\$2,400.00
This is discounted from our usual rate of \$1,500			
Subtotal Post Live Service			\$3,700.00
Subtotal:			\$156,700.00

Quote Summary	Amount
Software & Implementation	\$156,700.00
Total:	\$156,700.00

Notes

Software prices quoted are valid for 90 days.

All projects require 10% down at time of order.

Software Assurance maintenance and support fees for existing modules are already in place. Software Assurance fees for the new modules are an additional



Personal Attention. Public Solutions.

\$12,300 and will start on the proposed go live date. these fees will be prorated the first year to match the city's current payment schedule.

The VIP Software utilizes blank stock printing for W2's and 1099's and emailing paystubs are included with the application.

Applications include electronic banking capabilities as part of the applications. These include such things as ACH, Direct Deposit, EFT etc.

VIP Analytics includes base installation and configuration of standard templates for VIP Budgeting, Reporting and Console. Additional services can be quoted on a per project basis. Scope document available at client request.

VIP Asset Management includes asset import from an Excel document provided by Software Solutions. If city cannot get assets in this format, some assets might have to be hand entered.

VIP software requires a Windows Server running SQL. See specifications provided separately.

Utility Billing Workflows, Edge Check Signer and Cloud Backup are not included but can be quoted at the request of the customer.

\$16,700 due at time of signing
\$70,000 due at installation of sandbox
\$70,000 due on scheduled go live date

Acceptance

Printed Name: _____

Signature: _____

Title: _____

Purchase Date: _____

Purchase Order Number: _____

Proposal for Software and Services, Presented to...

City of Medina, Medina County OH

October 4, 2018

Quoted by: Keegan Nixon



Thank you for the opportunity to quote our software and services.

At BS&A, we are focused on delivering unparalleled service, solutions, support, and customer satisfaction. You'll see this in our literature, but it's not just a marketing strategy... it's a mindset deeply embedded in our DNA. Our goal is to provide such remarkable customer service that our customers feel compelled to remark about it.

*We are extremely proud of the many long-term customer relationships we have built. Our success is directly correlated with putting the customer first and consistently choosing to **listen**. Delivering unparalleled customer service is the foundation of our company.*

Cost Summary

Applications and Annual Service Fee prices based on an approximate population of 26,190 and 8,000 utility customers. Software is licensed for use only by municipality identified on the cover page. If used for additional entities or agencies, please contact BS&A for appropriate pricing. Prices subject to change if the actual count is significantly different than the estimated count.

Applications

Financial Management

General Ledger .NET	\$14,495
Accounts Payable .NET	\$12,345
Cash Receipting .NET	\$12,345
Miscellaneous Receivables .NET	\$12,345
Purchase Order .NET	\$12,345
Utility Billing .NET	\$16,000

Personnel Management

Payroll .NET	\$15,945
Human Resources .NET	\$14,495
Timesheets .NET	\$8,845

Subtotal \$119,160

Data Conversions/Database Setup

Convert existing SSI Egov data to BS&A format:	
General Ledger (COA, Balances, Budget, Up to 10 Years Journal Transaction history)	\$7,250
Accounts Payable (Vendors, Up to 10 years invoices and check history)	\$6,175
Payroll (Database Setup, Employee detail and YTD, Up to 10 years check history)	\$15,000
Utility Billing	\$13,600

Database Setup:

Miscellaneous Receivables (Setup of Billing Items, Penalties)	\$1,650
Cash Receipting (Setup of Receipt Items/Tender Types)	\$1,650
Human Resources (Setup of Licenses, Certifications, Benefit Plans, Positions. Not assigned to Employees)	\$3,300

Subtotal \$48,625

No conversion or database setup to be performed for:

- Timesheets
- Purchase Orders



Project Management and Implementation Planning

Services include:

- Analyzing customer processes to ensure all critical components are addressed.
- Creating and managing the project schedule in accordance with the customer's existing processes and needs.
- Planning and scheduling training around any planned process changes included in the project plan.
- Modifying the project schedule as needed to accommodate any changes to the scope and requirements of the project that are discovered.
- Providing a central contact between the customer's project leaders, developers, trainers, IT staff, conversion staff, and other resources required throughout the transition period.
- Installing the software and providing IT consultation for network, server, and workstation configuration and requirements.
- Reviewing and addressing the specifications for needed customizations to meet customer needs (when applicable).

\$26,950

Implementation and Training

- \$1,100/day
- Days quoted are estimates; you are billed for actual days used

Services include:

- Setting up users and user security rights for each application
- Performing final process and procedure review
- Configuring custom settings in each application to fit the needs of the customer
- Setting up application integration and workflow methods
- Onsite verification of converted data for balancing and auditing purposes
- Training and Go-Live

Software Setup	Days:	4	\$4,400
Financial Management Applications	Days:	29	\$31,900
Personnel Management Applications	Days:	33	\$36,300
	Total:	66	Subtotal \$72,600



Cost Totals

Not including Annual Service Fees

Applications	\$119,160
Data Conversions	\$48,625
Project Management and Implementation Planning	\$26,950
Implementation and Training	\$72,600

Total Proposed

\$267,335

Travel Expenses

\$19,980

287,315

Payment Schedule

- 1st Payment: **\$75,575** to be invoiced upon execution of this agreement.
- 2nd Payment: **\$119,160** to be invoiced at start of training.
- 3rd Payment: **\$92,580** to be invoiced upon completion of training.



Annual Service Fees

Unlimited service and support during your first year with the program are included in your purchase price. Thereafter, Service Fees are billed annually. BS&A Software reserves the right to increase the Annual Service Fee by no more than the yearly Consumers Price Index (CPI).

Financial Management	
General Ledger .NET	\$2,900
Accounts Payable .NET	\$2,470
Cash Receipting .NET	\$2,470
Miscellaneous Receivables .NET	\$2,470
Purchase Order .NET	\$2,470
Utility Billing .NET	\$3,200
Personnel Management	
Payroll .NET	\$3,190
Human Resources .NET	\$2,900
Timesheets .NET	\$1,770
Total Annual Service Fees	\$23,840



Optional Item(s)

Program Customization

BS&A strives to provide a flexible solution that can be tailored to each municipality's needs. However, in some cases, custom work may be required. Typical examples include:

- ∨ custom payment import/lock box import
- ∨ custom OCR scan-line
- ∨ custom journal export to an outside accounting system
- ∨ custom reports

If you require any custom work, please let us know so that we can better understand the scope of your request and include that in a separate proposal.

Cash Receipting Hardware

	Quantity	Cost
Epson Series Receipt Printer*	\$750 x _____	= \$ _____
APG Cash Drawer**	\$250 x _____	= \$ _____
Honeywell Hyperion 1300g Linear-Imaging Scanner	\$250 x _____	= \$ _____
Credit Card Reader	\$75 x _____	= \$ _____

This will add \$ _____ to the Total Proposed.

**IMPORTANT. The receipt printer must be plugged into the USB port on one workstation (not your server). This printer is not to be shared with other workstations. If more than one workstation will be used for receipting, please consider purchasing more than one receipt printer. Ithaca receipt printers are not compatible with Vista or Windows 7. The Epson Series replaces the Ithaca brand and is fully compatible with those operating systems.*

***If using a previously-purchased receipt printer with the APG Cash Drawer, which brand will be used with the drawer?
 ___Epson ___Ithaca ___Other (please specify) _____*

Please provide the number of cash drawers that will be hooked up to the printer _____

Acceptance

Signature constitutes...	
1. An order for products and services as quoted <i>Quoted prices do not include Program Customization, training beyond the estimated number of days, or recommended Bank Reconciliation Consultation</i>	
2. Agreement with the proposed Annual Service Fees	
3. Acceptance of BS&A's hardware recommendations required to efficiently run the .NET applications	
Signature	Date

BS&A PLEDGE. We offer a one-year, risk-reversal pledge on our software. If, up to a year after installation, you are not happy with our software and service, you can return our software for a full refund.

Returning Accepted Proposal to BS&A

Please return the entire proposal, with signature/date (this page) and contact information (next page) filled out, by any of these methods:

Mail: BS&A Software
14965 Abbey Lane
Bath, MI 48808

Fax: (517) 641-8960

Email: knixon@bsasoftware.com

Once your proposal is received, a BS&A representative will contact you to begin the scheduling process.



REQUEST FOR COUNCIL ACTION

No. RCA 19-170-10/15
Committee: Finance + Council

FROM: Keith Dirham, Finance Director
Lori Bowers, Deputy Finance Director
DATE: October 7, 2019
SUBJECT: Repay Advances from General Fund to CHIP Funds

SUMMARY AND BACKGROUND:

The Finance Department respectfully requests Council to authorize the Finance Director to repay the following advances:

\$420,500 from CDBG-CHIP (#138) to the General Fund (#001)
\$379,500 from HOME-CHIP (#139) to the General Fund (#001)

Estimated Cost: \$800,000

Suggested Funding:

Sufficient funds in Account No.:

Transfer needed: From Account No.:

To Account No.:

NEW APPROPRIATION needed in Account Nos.: 138-0456-56615 and 139-0456-56615 Refer to Appropriation Adjustment #2019-036

Emergency Clause Requested: No

Reason:

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord./Res. Ord. 156-19
Date: 10-15-19

REQUEST FOR COUNCIL ACTION

No. RCA 19-170-10/15
Committee: Finance + Council

FROM: Keith Dirham, Finance Director
Lori Bowers, Deputy Finance Director
DATE: October 7, 2019
SUBJECT: Repay Advance from General Fund to Issue 2 Project Fund

SUMMARY AND BACKGROUND:

The Finance Department respectfully requests Council to authorize the Finance Director to repay the following advances:

\$450,000 from the Issue 2 Project Fund (#380) to the General Fund (#001)

Estimated Cost: \$380,000

Suggested Funding:

Sufficient funds in Account No.:

Transfer needed: From Account No.:

To Account No.:

NEW APPROPRIATION needed in Account No.:380-0674-56615 Refer to Appropriation Adjustment #2019-037
Emergency Clause Requested: No

Reason:

COUNCIL USE ONLY:
Committee Action/Recommendation:

Council Action Taken:

Ord./Res. Ord. 156-19
Date: 10-15-19

REQUEST FOR COUNCIL ACTION

REA
No. 19-171-10/15
Committee: Fin + Council

FROM: Keith Dirham, Finance Director
Lori Bowers, Deputy Finance Director
DATE: October 7, 2019
SUBJECT: Advance Request

SUMMARY AND BACKGROUND:

The Finance Department respectfully requests Council to authorize the Finance Director to make the following fund advances:

Advance From:	Advance To:	Amount	Purpose
General Fund (#001)	CDBG-CHIP Fund (#138)	\$261,000	Program year 2018 CDBG-CHIP Federal Grant
General Fund (#001)	HOME-CHIP Fund (#139)	\$386,700	Program year 2018 HOME-CHIP Federal Grant
General Fund (#001)	CDBG-Allocation Fund(#125)	\$150,000	Program year 2017 CDBG-Allocation Federal Grant

These advances (loans) are necessary to cover expenditures until the City receives reimbursement from the grantor agency.

Estimated Cost: \$797,700 from the General Fund. General Fund to be reimbursed once grant funds are received.

Suggested Funding: See above.

Sufficient funds in Account No.:

Transfer needed: From Account No.:
To Account No.:

NEW APPROPRIATION needed in Account No.: \$797,000 increase to account 001-0707-56615
Refer to Appropriation Adjustment #2019-035

Emergency Clause Requested: No

Reason:

COUNCIL USE ONLY:
Committee Action/Recommendation:

Council Action Taken:

Ord./Res. Ord. 156-19
Date: 10-15-19

REQUEST FOR COUNCIL ACTION

No. PCA 19-171-10/15
Committee: Fin + Council

FROM: Keith Dirham, Finance Director
Lori Bowers, Deputy Finance Director
DATE: October 7, 2019
SUBJECT: Advance Request

SUMMARY AND BACKGROUND:

The Finance Department respectfully requests Council to authorize the Finance Director to make the following fund advances:

Advance From:	Advance To:	Amount	Purpose
General Fund (#001)	Issue 2 Project Fund(#380)	\$358,000	S Elmwood Bridge 380-0684
General Fund (#001)	Issue 2 Project Fund(#380)	\$455,606	W Smith Rd 380-0685
General Fund (#001)	Issue 2 Project Fund(#380)	\$478,000	S Broadway Reconstruction 380-0686

These advances (loans) are necessary to cover expenditures until the City receives reimbursement from the grantor agency.

Estimated Cost: \$1,291,606 from the General Fund. General Fund to be reimbursed once grant funds are received.

Suggested Funding: See above.

Sufficient funds in Account No.:

Transfer needed: From Account No.:
To Account No.:

NEW APPROPRIATION needed in Account No.: \$1,291,606 increase to account 001-0707-56615
Refer to Appropriation Adjustment #2019-038

Emergency Clause Requested: No

Reason:

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord./Res.
Date:

Ord. 156-19
10-15-19

Batch Number
(Finance use only)
Batch Posted?

RCA Number
(Council use only)

RCA 19-172-10/15

REQUEST FOR APPROPRIATION ADJUSTMENT

TYPE OF ADJUSTMENT
(CHECK ONE)

ADMINISTRATIVE
FINANCE COMMITTEE
COUNCIL

X

NO. 2019-035
(Finance use only)

Finance

FROM ACCOUNT NUMBER	ACCOUNT DESCRIPTION	TO ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT	TRANSFER OF EXISTING APPROPRIATION	UNAPPROPRIATED FUNDS
		001-0707-56615	General Fund-Advances Out	797,000.00		X
		138-0458-50111		30,000.00		X
		138-0458-51121		3,500.00		X
		138-0458-51126		2,500.00		X
		138-0458-52214		5,000.00		X
		138-0458-52215		210,000.00		X
		138-0458-53311		5,000.00		X
		138-0458-53315		5,000.00		X
		139-0458-50111		34,700.00		X
		139-0458-52215		352,000.00		X
		125-0457-50111		500.00		X
		125-0457-51121		2,000.00		X
		125-0457-52211		150.00		X
		125-0457-52215		6,000.00		X
125-0457-53311		125-0457-52215		11,250.00	X	
125-0457-53315		125-0457-52215		10,837.23	X	
			TOTAL	1,464,600.00		

41,000.00

220,000.00

EXPLANATION:

To appropriate funds in order to make necessary advances authorized by Council for CHIP Grants.
To appropriate funds for the program year 2018 CDBG CHIP Grant; Grant Number A-C-18-2CN-1; CHBG HOME Grant, Grant Number A-C-18-2CN-2; A-F-17-2CN-1. In accordance with ORC 5705.42, Federal and State grants and loans do not require formal appropriation by Council. Refer to 2015 Ohio Compliance Supplement, section 1-2 for further detail.

Refer to 'Supporting Docs' tab for breakout of salaries and benefits.



DEPARTMENT HEAD: Keith Dirham /Lori Bowers

DATE: 10/7/2019

MAYOR'S APPROVAL:
(WHEN NECESSARY) _____

DATE: _____

COUNCIL/COMMITTEE ACTION:

APPROVED: _____
DENIED: _____
RETURNED FOR EXPLANATION: _____
RETURNED TO USE EXISTING ACCOUNT FUNDS: _____

ORD. NO. 157-19

CLERK OF COUNCIL/DATE

ROUTING: ORIGINAL TO FINANCE
COPY TO DEPT. HEAD
COPY TO COUNCIL

Batch Number
(Finance use only)
Batch Posted?

[]
[]

RCA Number
(Council use only)

REQUEST FOR APPROPRIATION ADJUSTMENT

TYPE OF ADJUSTMENT
(CHECK ONE)

ADMINISTRATIVE
FINANCE COMMITTEE
COUNCIL

X

NO. 2019-036
(Finance use only)

FROM ACCOUNT NUMBER	ACCOUNT DESCRIPTION	TO ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT	TRANSFER OF EXISTING APPROPRIATION	UNAPPROPRIATED FUNDS
		138-0456-56615	CDBG-CHIP-Advances Out	420,500.00		X
		139-0456-56615	CDBG-HOME-Advances Out	379,500.00		X
			TOTAL	800,000.00		

EXPLANATION:

To appropriate funds in order to repay advances authorized CHIP Grants.

DEPARTMENT HEAD: Keith Dirham /Lori Bowers

DATE: 10/7/2019

MAYOR'S APPROVAL:
(WHEN NECESSARY) _____

DATE: _____

COUNCIL/COMMITTEE ACTION:

APPROVED: _____
DENIED: _____
RETURNED FOR EXPLANATION: _____
RETURNED TO USE EXISTING ACCOUNT FUNDS: _____

ORD. NO. 157-19 ✓

CLERK OF COUNCIL/DATE

ROUTING: ORIGINAL TO FINANCE
COPY TO DEPT. HEAD
COPY TO COUNCIL.

Batch Number
(Finance use only)
Batch Posted?

[]
[]

RCA Number
(Council use only)

REQUEST FOR APPROPRIATION ADJUSTMENT

TYPE OF ADJUSTMENT
(CHECK ONE)

ADMINISTRATIVE
FINANCE COMMITTEE
COUNCIL

X

NO. 2019-037
(Finance use only)

FROM ACCOUNT NUMBER	ACCOUNT DESCRIPTION	TO ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT	TRANSFER OF EXISTING APPROPRIATION	UNAPPROPRIATED FUNDS
		380-0674-56615	Issue 2-Advances Out	450,000.00		X
			TOTAL	450,000.00		

EXPLANATION:

To appropriate funds in order to repay advances authorized to the Issue 2 projects fund.

DEPARTMENT HEAD: Keith Dirham /Lori Bowers

DATE: 10/7/2019

MAYOR'S APPROVAL:
(WHEN NECESSARY) _____

DATE: _____



COUNCIL/COMMITTEE ACTION:

APPROVED: _____
DENIED: _____
RETURNED FOR EXPLANATION: _____
RETURNED TO USE EXISTING ACCOUNT FUNDS: _____

ORD. NO. 157-19

CLERK OF COUNCIL/DATE

ROUTING: ORIGINAL TO FINANCE
COPY TO DEPT. HEAD
COPY TO COUNCIL

Batch Number
(Finance use only)
Batch Posted?

RCA Number
(Council use only)

RCA 19-172-10/15
Finance

REQUEST FOR APPROPRIATION ADJUSTMENT

TYPE OF ADJUSTMENT
(CHECK ONE)

ADMINISTRATIVE
FINANCE COMMITTEE
COUNCIL

X

NO. 2019-039
(Finance use only)

FROM ACCOUNT NUMBER	ACCOUNT DESCRIPTION	TO ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT	TRANSFER OF EXISTING APPROPRIATION	UNAPPROPRIATED FUNDS
		108-0685-54414	Street M&R-W Smith Rd ph 3-St resurface	1,191,594.00		X
		380-0684-54414	Street M&R-S elmwood bridge-St resurface	235,738.23		X
		380-0686-54414	Stree M&R-S Broadway	767,500.00		X
			TOTAL	2,194,832.23		

EXPLANATION:

To appropriate funds for various projects



DEPARTMENT HEAD: Keith Dirham /Lori Bowers

DATE: 10/8/2019

MAYOR'S APPROVAL:
(WHEN NECESSARY) _____

DATE: _____

COUNCIL/COMMITTEE ACTION:

APPROVED: _____
DENIED: _____
RETURNED FOR EXPLANATION: _____
RETURNED TO USE EXISTING ACCOUNT FUNDS: _____

ORD. NO. _____

CLERK OF COUNCIL/DATE

ROUTING: ORIGINAL TO FINANCE
COPY TO DEPT. HEAD
COPY TO COUNCIL

(Finance use only)

RCA Number (Council use only)

REQUEST FOR APPROPRIATION ADJUSTMENT

NO. 2019-033

TYPE OF ADJUSTMENT (CHECK ONE)

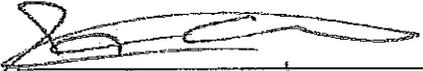
ADMINISTRATIVE
FINANCE COMMITTEE
COUNCIL

X

FROM ACCOUNT NUMBER	ACCOUNT DESCRIPTION	TO ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT	TRANSFER OF EXISTING APPROPRIATION	UNAPPROPRIATED FUNDS
		104-0301-53313	Parks Maint - Operating	\$230.75		X

EXPLANATION:

Accept \$230.75 as reimbursement to relocate MSA shed

DEPARTMENT HEAD: 

DATE: 9/16/19

MAYOR'S APPROVAL: (WHEN NECESSARY)  9-17-19

COUNCIL/COMMITTEE ACTION:

APPROVED: _____

DENIED: _____

RETURNED FOR EXPLANATION: _____

RETURNED TO USE EXISTING ACCOUNT FUNDS: _____

ORD. NO. _____

CLERK OF COUNCIL/DATE

ROUTING: ORIGINAL TO FINANCE
COPY TO DEPT. HEAD
COPY TO COUNCIL

RECEIPT

DATE 9-16-19

No. 680301

RECEIVED FROM MEDINA Soccer Assoc.

\$ 230.75

TWO HUNDRED THIRTY & 75/100

DOLLARS

FOR RENT
 FOR RELOCATION MSA SUEA

ACCOUNT #	
PAYMENT #	<u>1681</u>
BAL. DUE	

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

FROM _____ TO _____

BY DAVID KNACK

6681



MEDINA SOCCER ASSOCIATION
1114 N. COURT STREET #231
MEDINA, OH 44256

PNC BANK
6-12/410



09/12/2019

PAY TO THE ORDER OF City Of Medina

\$ **230.75

Two hundred thirty and 75/100*****

DOLLARS

City Of Medina
PO Box 703
Medina, OH 44258-0703

[Signature]
AUTHORIZED SIGNATURE

MEMO

Security features. Details on back.

⑈0000668⑈ ⑆⑈ ⑆04⑆000⑆24⑆ 4⑆53245808⑈

Medina Soccer Association

6681

09/12/2019

City Of Medina

materials for storage shed at Cunningham

230.75

[Reimb. Medina Soccer Assoc.]
104-1500-40235

PNC Checking-NEW 5808

230.75



**CITY OF MEDINA PARKS DEPARTMENT
INVOICE FOR SERVICES**

DATE: April 25, 2019
CUSTOMER: Medina Soccer Association

LOCATION: Huffman Cunningham Park
ADDRESS: 1114 N. Court Street #231

JOB DESCRIPTION: Material reimbursement for relocating temporary storage shed at Cunningham Fields

LABOR

MATERIAL

Hours	Rate	Labor Cost	Description	Material Cost
			Three (3) 6"x6"x12' treated posts	\$137.79
			4.48T of 57 washed gravel	\$92.96
Labor Total:		\$0.00	Material Total:	\$230.75

EQUIPMENT

	Hours	Rate	Subtotal		Hours	Rate	Subtotal
Maintenance Truck ¾ ton			\$ 0.00	Blower			\$ 0.00
Truck ½ ton			\$ 0.00	Tamper			\$ 0.00
Front End Loader			\$ 0.00	Tractor			\$ 0.00
Back Hoe			\$ 0.00	Grader			\$ 0.00
Electric Welder			\$ 0.00	Chain Saw			\$ 0.00
Concrete Saw			\$ 0.00	Paint Machine			\$ 0.00
Air Compressor			\$ 0.00	Sweeper/Vacuum			\$ 0.00
Chipper			\$ 0.00	Concrete Mixer			\$ 0.00
Tapping Machine			\$ 0.00	Extra Vehicle(s)			\$ 0.00
Earth Auger			\$ 0.00	Miscellaneous			\$ 0.00
Equipment Total:			\$ 0.00				

TOTAL COST: \$ 230.75

PAYABLE TO THE CITY OF MEDINA 132 N. ELMWOOD AVENUE
 MEDINA, OHIO 44256

111 Wean Street
P.O. Box 9
Lodi, OH 44254
www.LodiLumber.com



PH# 330-948-1311 * 800-399-5634
FAX# 330-948-1613

HOURS: M-F 7:30 AM - 5 PM
SAT 7:30 AM - 12 PM

SOLD TO

SHIP TO

MEDINA CITY
P O BOX 703
MEDINA, OH 44258

MEDINA CITY
P O BOX 703
MEDINA, OH 44258

2% (24% per Annum) Service Charge on Past Due Invoices. Claims for shortages, damages, or non-delivery of merchandise must be made within (6) five days after receipt.

ACCOUNT #	CUSTOMER P.O.#	TERMS	ORDER #	ORDER DATE	SLSMN	INVOICE #	INVOICE DATE	
M4356	19-0393	STANDARD TERMS	82559	04/04/19	WHT	68109	04/04/19	
ORDERED	B/O	SHIPPED	U/M	DESCRIPTION	PRICE	AMOUNT		
-4	0	-4	EA	2"X8"-12' SPF 20812SPF REF ORDER # 82398	11.020	44.08		
-3	0	-3	EA	6"X6"-8' TREATED #2 GC 60608T REF ORDER # 82540	29.650	-88.95		
3	0	3	EA	6"X6"-12' TREATED #2 GC 60612T	45.930	137.79		
<p>MSA SHED</p> <p>19-0393 inv 002</p> <p>X</p> <p>4-4-19 4/8/19</p>								
APR 4, 2019 9:30:49 OT:					FILLED BY 07	CHK'D BY	SHIP'D BY	MERCHANDISE 4.76
*****					SHIP VIA		OTHER 0.00	
* INVOICE *					PAGE 1 OF 1		TAX 0.00	
*****							FREIGHT 0.00	
MATERIALS RECEIVED ACCEPTABLE BY:							TOTAL 4.76	
NOT RESPONSIBLE FOR OFF-DRIVEWAY DELIVERIES								

CUSTOMER COPY

OSBORNE MEDINA INC. - INVOICE

795 NORTH PROGRESS DRIVE, MEDINA, OH 44256
 Ph: (330)723-0015 Fax: (330)722-8362

CITY OF MEDINA
 132 N. ELMWOOD ST.
 P.O. BOX 703
 MEDINA OH 44258-0703

Customer No. MEDI100
 Invoice Date 4/6/2019
 Invoice Number 275200 Pg 1
 Job Id PARKS
 Credit Terms NET 30 DAYS

Date	Ticket	Qty	Description	Price	Amount				
04/03/19	530271	1.08 TN	57 WASHED GRAVEL	20.75	22.41				
04/03/19	530287	1.19 TN	57 WASHED GRAVEL	20.75	24.69				
04/03/19	530304	1.06 TN	57 WASHED GRAVEL	20.75	22.00				
04/04/19	530354	1.15 TN	57 WASHED GRAVEL	20.75	23.86				
<p>***** PRODUCT SUMMARY *****</p> <table> <thead> <tr> <th>PRODUCT</th> <th>QUANTITY U/M</th> </tr> </thead> <tbody> <tr> <td>57 WASHED GRAVEL</td> <td>4.48 TN</td> </tr> </tbody> </table>						PRODUCT	QUANTITY U/M	57 WASHED GRAVEL	4.48 TN
PRODUCT	QUANTITY U/M								
57 WASHED GRAVEL	4.48 TN								
<p>PO # 19-0800 Line # 001 Partial <input checked="" type="checkbox"/> Complete Date: 4-18-19 4/24/19 Approved: <i>[Signature]</i></p> <p>MSA SHED</p>									

RECEIVED
 APR 16 2019

ANY DISCREPANCIES ON THIS INVOICE
 MUST BE REPORTED WITHIN 90 DAYS
 THANK YOU FOR YOUR BUSINESS!

Sub-Total	92.96
Sales Tax- MC	0.00
Invoice Total	92.96

REQUEST FOR COUNCIL ACTION

No. RCA 19-173-10/15

FROM: Keith H. Dirham
DATE: Monday, September 23, 2019
SUBJECT: Clarification of Drug-Free Workplace Policy

Committee: Finance

SUMMARY AND BACKGROUND:

I respectfully request that the Council clarify that marijuana is NOT permitted by the City's Drug-Free Workplace Policy even if it is recommended by a Physician and/or used in any other way that is otherwise legal.

Estimated Cost:

Suggested Funding:

- sufficient funds in Account No.
- transfer needed from Account No.
to Account No.
- NEW APPROPRIATION needed in Account No.

Emergency Clause Requested:

Reason:

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord./Res.

Date:

City of Medina
Drug-Free Workplace
Policy and Procedures

Policy Summary

Contacts:	Questions about this policy should be directed to: Administrative Office Manager or Civil Service Secretary
Who will be tested?	All employees and qualified applicants
What will be tested?	Employees will be tested for the presence of illicit or illegally used drugs and alcohol. Drugs to be tested may include: amphetamines, cocaine, marijuana, opiates, and PCP.
Where will testing be conducted?	Only DHHS/SAMHSA certified laboratories and qualified service professionals shall conduct urine specimen analysis under this policy. Alcohol testing shall be done at a qualified health care facility using federally approved testing equipment.
When will tests be performed?	Employees will be tested on five specified occasions: <ol style="list-style-type: none"> 1. Pre-employment (drug test for "qualified applicants" only). 2. New Hires (within 90 days) 3. Where there is reasonable suspicion of prohibited substance use. 4. Following an accident or injury. 5. On a random basis (safety-sensitive employees only).
How will tests be conducted?	Unless otherwise required or permitted by law, all tests will be conducted in accordance with federal guidelines (49 CFR Part 40 as amended), which conform to the Ohio Bureau of Workers' Compensation drug-free testing requirements.
Employee Assistance Program:	The City encourages all those in need of assistance with a substance abuse issue to seek help. The Administrative Office Manager or the Civil Service Secretary shall maintain information regarding local service providers.
Consequences:	Any violation of this policy will result in termination. Any <u>refusal</u> to submit to testing or any attempt to adulterate a sample <u>will</u> result in termination.

Drug and Alcohol use at work *are prohibited.*

You Will Be Fired!

WARNING: ANY POSITIVE RESULT OR ANY REFUSAL TO TEST MAY AFFECT YOUR ELIGIBILITY FOR COMPENSATION AND BENEFITS UNDER THE WORKERS COMPENSATION LAWS OF THIS STATE.

POLICY

The employees of **City of Medina** ("the City") are our most valuable resource, and for that reason, their health and safety are of paramount concern. The City takes considerable pride in the work performed by its employees. While the City has the greatest respect for the privacy of its employees, it must be understood that the City will not tolerate any alcohol and/or drug abuse. Such negligence threatens the ability of our employees to maintain a safe, healthful, and efficient environment, which enhances the welfare of our employees.

The City believes that it is very important to provide a safe workplace for all of its employees. In certain aspects of operations the City is required to comply with the rules of the Ohio Bureau of Workers' Compensation (BWC) Drug-Free Workplace Program (DFWP). In so doing, the City is taking steps to address the problem of substance use that negatively affects every workplace, including ours. The City is concerned with the health and well being of all employees. We can not condone and will not tolerate behaviors on the part of employees that relate to substance use, such as:

- the use of illegal drugs;
- the misuse of alcohol;
- the sale, purchase, transfer, manufacture, use or possession of any illegal drugs;
- Arrival or return to work after having used any drug or alcohol or being under the influence of any drug (legal or illegal) or alcohol to the extent that job performance is affected.

Management is fully committed to the City's *Drug-Free Workplace Program*, which establishes clear guidelines for acceptable and unacceptable employee behavior for everyone in the workplace. We will not tolerate substance use in violation of this policy and intend to hold everyone responsible for supporting the policy.

The consequences stated in this *Drug-Free Workplace Policy* will apply to anyone who violates the policy.

The City will hold all employees accountable in terms of substance use but also supports getting help for employees in need. Employees who come forward *voluntarily* to identify that they have a substance problem will receive information about local professionals who offer such help. However, if an employee has a substance problem and does not come forward, and the employee then tests positive for drug or alcohol use in violation of this policy, the City reserves the right to impose discipline for the violation of these work rules as set forth in this policy.

WARNING: ANY POSITIVE RESULT OR ANY REFUSAL TO TEST MAY AFFECT YOUR ELIGIBILITY FOR COMPENSATION AND BENEFITS UNDER THE WORKERS COMPENSATION LAWS OF THIS STATE.

Other consequences that apply to all employees who violate this policy are clearly spelled out within this document. **PLEASE READ THIS POLICY CAREFULLY.**

This program will go into effect within 30 days of the announcement of our *Drug-Free Workplace Program* and this new policy that describes the *Drug-Free Workplace Program*. This policy covers the five key parts of the City's *Drug-Free Workplace Program*. The five parts consist of:

1. A written policy that clearly spells out the program and how everyone benefits.
2. Annual substance awareness education for all employees.
3. Training for supervisors regarding their responsibilities.
4. Drug and alcohol testing, the most effective way to change harmful substance use behaviors.
5. Employee assistance.

Employees will have the opportunity to receive information about substance use as a workplace problem, signs and symptoms, dangers of use, and how and where to get help for themselves and their families. **The Administrative Office Manager or Civil Service Secretary** will be the Drug-Free Workplace Program Administrators (herein referred to as the Program Administrators) so everyone knows who to go to for information or help. For information please call (330) 725-8861.

The Program Administrators will be responsible for coordinating drug and alcohol testing, identifying resources that employees can turn to for help for themselves and/or their families, and arranging for qualified people to help with employee awareness education and with supervisor training.

Conditions of Employment

Compliance with the Alcohol and Drug Free Workplace Policy is a condition of employment with the City. Failure to cooperate fully, sign any required documents, submit to any inspection or test, or follow any prescribed course of substance or alcohol abuse treatment will result in termination of employment.

Nothing in this policy or in any oral representation by any City representative related to any aspect of this policy is intended to alter the existing relationship between the City and any employee and is not intended to create an express or implied contract of employment, or any promise of job security upon which an employee can rely.

Unless otherwise specified, all employment relations with the City remain "at will."

Those employees represented by a collective bargaining agent shall enjoy their rights as specified in the current collective bargaining agreement. To the extent that the current collective bargaining agreement is in conflict with the requirements of the BWC the collective bargaining agreement shall govern.

Program Protection

This program is designed to protect employees' rights and to protect all who come in contact with this workplace from the behaviors of substance users. Some of the protections built into the program are:

- Employee records such as testing results and referrals for help will be kept confidential. Information will be on a need-to-know basis. Any violation of confidentiality rights is subject to disciplinary action up to and including termination of employment.
- We are committed to employees who have a substance problem to get help. Each situation will be reviewed individually. Employee assistance information is available for employees and their families, including a list of resources available through the Program Administrators and distributed to all employees.
- All supervisors will be trained in their duties related to testing before this program begins.

Employees will receive substance awareness education from a qualified person to help identify problems and learn where to turn to for help. This will be done annually.

Test Procedures

Testing will be done through a qualified collection provider and through a federally certified laboratory that uses the highest level of care in ensuring that results are accurate. When properly conducted, this process is considered scientifically accurate in detecting that the substances that the City is concerned about are present in the employee's "system" in sufficient quantity to lead to behaviors that may endanger the person or other employees. The certified lab will work closely with our local collection provider to ensure fairness and accuracy, and we also have retained the services of a Medical Review Officer (MRO), who is a qualified, trained physician responsible for checking whether there is a valid medical reason for the presence of the substance in the employee's system. The MRO is experienced in dealing with substance use. When the MRO receives positive test results, the MRO will contact the employee and, with the employee's permission, any appropriate health care provider to determine whether there is a valid reason for the presence of the drug in the person's system.

- The testing program consists of an initial screening test whenever a test is determined to be appropriate. If the initial results are positive, then a second test is used. Cut-off levels for each drug and for alcohol are established based on federal guidelines.

An employee's violation of this policy will not be reported to law enforcement unless required by a regulatory body or by criminal statute, such as related to drug trafficking. However, in protection of the workforce, law enforcement may be requested to come onto City property in conjunction with a referral for criminal prosecution.

Employee Awareness Education

Every current employee will be required to attend a session in which this program is discussed. There will be an opportunity to ask questions. This written policy will be shared, and everyone will be expected to sign an acknowledgement of receipt. We will have a qualified person explain why and how substance use is a workplace problem, the effects, signs/symptoms of use, effects of commonly used drugs in the workplace, and how to get help. We will also cover how an employee can get a referral for employee assistance, the importance of determining how much of a substance problem the employee has, and what type of help is needed. There will be educational awareness annually for all employees. New employees will hear about the program during orientation and will receive substance education as soon as possible thereafter.

Bureau of Workers' Compensation 10-Step Business Plan

As part of its Drug-Free Workplace Program, the City will be putting into place a safety plan sponsored by the Bureau of Workers' Compensation known as the 10-Step Business Plan. This plan is aimed at creating an overall safer workplace. More information about this 10-Step Plan will be communicated to all employees.

Supervisory Training

As required by the rules set by the *Bureau of Workers Compensation* (BWC) Drug-Free Workplace Program, supervisors will be trained to recognize substance problems that may endanger the employee and others as well as violate this policy. This training is in addition to annual employee education. Supervisors will be trained about testing responsibilities, how to recognize behaviors that demonstrate an alcohol/drug problem and how to make referrals for help.

Testing

Testing is intended to detect problems, deter usage and allow appropriate corrective and/or disciplinary action. In addition to alcohol, the drugs that we may test for are:

- Amphetamines (speed, uppers)
- Cocaine (including Crack)
- Marijuana
- Opiates (Codeine, Heroin, Morphine)
- Phencyclidine (PCP, "angel dust")
- Barbiturates
- Benzodiazepines
- Propoxyphene/Metabolite
- Methadone

(Ord. 56-08)

Prescriptions and OTC

The City does not prohibit employees from using prescription or over-the-counter drugs when used as prescribed, provided:

- the prescription drugs are prescribed to the employees for medical reasons by a licensed medical practitioner, with dosage and frequency of use prescribed on the label or accompanying documentation, and
- the employee's use of the prescription or over-the-counter drugs does not affect the employee's job performance or conduct; threaten the safety, productivity, public image or property of the City or its employees; or result in criminal behavior.

No employee is to perform any function or duty on behalf of the City if the drugs being taken under this provision adversely affect his or her ability to perform any such function or duty safely.

Employee Assistance

The City believes in offering useful information to assist employees with a substance problem. We are supportive of employees taking action on their own behalf to address a substance problem. The City will make information regarding local substance abuse resources available to any employee in need of assistance. Please contact your supervisor for such information.

BE FOREWARNED, however that any employee found to be in violation of this policy will be terminated.

The implementation of discipline or of sanctions shall be at the sole discretion of the City and/or in accordance with the authority provided in the current collective bargaining agreement.

WHEN TESTING WILL OCCUR

Pre-Employment

As a condition of employment, all candidates being considered for employment with the City must satisfactorily complete a pre-employment drug screen prior to reporting to duty. Any offer of employment is contingent upon, among other things, satisfactory completion of this screening, and the determination by the City that the applicant is capable of performing the responsibilities of the position that has been offered. Persons who have been separated from City employment for more than 180 days must undergo pre-employment testing (Ord. 165-02), (Ord. 53-11).

New Hires

All newly hired employees serve a 90-day probationary period during which time an *unannounced* drug test may take place. Anyone failing or refusing to submit to such test will be considered to have failed a pre-requisite of their probation and be terminated for cause. (Ord. 56-08)

Newly hired employees will attend orientation; during this session they will receive a current copy of the City's *Drug-Free Workplace Policy*, and sign the form entitled, *Acknowledgement of Receipt*

Reasonable Suspicion

Reasonable suspicion testing will occur when City management and/or supervision have reason to suspect that an employee may be in violation of this policy. The suspicion must be documented in writing within 24 hours of the event or prior to the release of the test findings. Reasonable suspicion testing may be based upon, among other things:

1. Observed behavior, such as direct observation of drug/alcohol use or possession and/or the physical symptoms of drug and/or alcohol use;
2. A pattern of abnormal conduct or erratic behavior;
3. Arrest or conviction for a drug-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or trafficking. The employee is responsible for notification to the City, within five (5) working days, of any drug-related conviction;
4. Information provided either by a reliable and/or credible sources or independently corroborated, regarding an employee's substance use; or
5. Newly discovered evidence that the employee has tampered with a previous drug or alcohol test.

Reasonable suspicion testing does not require certainty, but mere "hunches" are not sufficient to justify testing. To prevent this, all supervisors will be trained in the recognition of drug and alcohol-related signs and symptoms. Testing may be for drugs or alcohol or both.

Prior to testing and provided consent is given by the employee, those individuals represented by a collective bargaining agent shall be allowed an opportunity to contact their representative and to consult with that representative in private. No more than one hour shall be allowed for this process. In all respects not in conflict with the requirements of the BWC rules, THE TERMS OF THE CURRENT COLLECTIVE BARGAINING AGREEMENT shall be abided by.

Post-Accident Testing

Post-accident testing will be conducted whenever an accident occurs as defined below. For purposes of this policy, an accident is considered an unplanned, unexpected or unintended event that occurs on City property, during the conduct of the City's business, during working hours, or which involves City-supplied equipment, motor vehicles or motor vehicles that are used in conducting City business, or is within the scope of employment, and which results in any of the following:

1. A fatality of anyone involved in the accident;
2. Vehicular/equipment damage in apparent excess of \$500; or
3. Non-vehicular/equipment damage in apparent excess of \$500;
4. Bodily injury to the employee and/or another person that requires off-site medical attention away from the City's place of employment.

When such an accident results in one of the situations above, any employee who may have contributed to the accident will be tested for drugs and/or alcohol use.

WARNING: IF AT THE TIME OF ANY POST-ACCIDENT/INJURY TEST THERE WAS REASONABLE CAUSE TO BELIEVE THE EMPLOYEE USED A PROHIBITED SUBSTANCE OR WAS UNDER THE INFLUENCE OF SUCH SUBSTANCES, AND THE TEST RESULT IS POSITIVE OR THE EMPLOYEE REFUSED TO TEST, ELIGIBILITY FOR COMPENSATION AND BENEFITS UNDER THE WORKERS COMPENSATION LAWS OF THIS STATE MAY BE AFFECTED.

Post-Accident Test Timing

Urine specimen collection (for a drug test) or breath/saliva (for an alcohol test) is to occur immediately after a need has been determined. At no time shall a drug specimen be collected after 32 hours from the time of an employment-related incident. Breath or saliva alcohol testing will be performed within two (2) hours of the incident whenever possible, but within eight (8) hours, or it won't be performed but the reason for the delay will be documented. If the employee responsible for an employment-related accident is injured, it is a condition of employment that the employee herein expressly grants to the City, its officers and management, the right to request that attending medical personnel obtain appropriate specimens (breath, blood and/or urine) for the purpose of conducting alcohol and/or drug testing. Further, all employees herein expressly grant to the City, its officers and management, access to any and all other medical information that may be relevant in conducting a complete and thorough investigation of the employment-related accident, to include, but not be limited to, a full medical report from the examining physician(s) or other health care providers.

Random Testing

Random testing may be conducted as required by contract and at the sole discretion of management. If conducted, random testing will include all safety sensitive employees performing work under any state contract and is conducted on an unannounced basis. An independent, non-City testing organization will utilize objective computer software that ensures a truly random selection process in which all employees in the testing pool have an equal statistical likelihood of

being selected for testing. When the next random draw is conducted, all employees are again included in the pool with an equal chance of selection, regardless of whether an employee was previously selected.

Random selection shall be at the annual rate of 15% of those subject to testing. (Ord. 139-16)

The City will provide employee identification numbers to be used in the random selection drawing. The contractor will, in turn, furnish the City with a list of individuals to be tested at the beginning of each selection period. It shall be the responsibility of the City to notify each employee who was selected with the date, time and location for that random test. Once the employee is notified of the selection to submit to random testing, it shall be the responsibility of the employee to appear for testing immediately and to provide a urine specimen for drug testing and or submit to breath-alcohol testing.

An employee's failure to timely comply with the request for a specimen for random testing will be considered a refusal to submit to testing and may result in termination of employment.

Searches for Controlled Substance and Alcohol

In order to maintain a safe, healthy, and productive workplace environment, the City may conduct searches for controlled substances or alcohol on City property or in City vehicles and equipment at any time. The City is "owned by" and operated for the residents of the City of Medina; therefore, everything about the City is public. All employees shall have no expectation of privacy in any public property while at work. The City may search an employee's desk, locker, file cabinet, and a City owned or operated vehicle. Due to the safety sensitive nature of some employee's jobs, the City may search private items brought to work.* Searches of these employees' private items may include such items as lunch boxes, coolers, purses, packages, briefcases and similar items. Should the City have reasonable suspicion that an employee is in violation of this Substance Abuse Policy, the suspect employee's private property may also be searched, regardless whether the employee performs a safety sensitive job.

To avoid unintentional violation of this policy it is suggested that City employees NOT BRING ANYTHING TO WORK that they do not want SEARCHED.

** This category of personnel includes police personnel, fire department personnel, motor equipment operators (MEO's) and all other City employees who operate City vehicles or motorized equipment.*

SUBSTANCES TESTED AND METHOD OF TESTING

Drug Test Methods

"Systems presence testing" is the procedure that is used to identify the presence of the following controlled substances or alcohol that may be present: (A negative initial screening test is considered a negative test.) For each of the tested drugs (amphetamines, cocaine, marijuana, opiates, PCP, barbiturates, benzodiazepines, propoxyphene/metabolite, and methadone), there is an initial test used to screen the urine specimen. (Ord. 56-08)

If the initial screen is positive [at or higher than a cut-off level in accordance with federal Department of Health & Human Services (DHHS)], a second or confirmatory test is done. This is a different test

and is considered scientifically accurate. Detection thresholds (or cut-off levels) are standards that have been established by the DHHS for each of the above drugs after years of research. These levels will be used to interpret all drug screens/tests, whether for a pre-employment examination, reasonable suspicion test, post-accident test, random or follow up test.

Alcohol Test Methods

A testing contractor that uses only federally qualified equipment and personnel will conduct breath alcohol and/or saliva testing. Breath alcohol concentrations exceeding 0.02 will be considered a verified positive result. In the event of an accident where an employee has a "whole blood" alcohol drawn at a medical treatment facility, a result equal to or greater than 0.02 shall be considered to be a verified positive result. An Evidentiary Breath Test (EBT) is used to confirm any initial positive test result. Any employee testing at or above 0.02, but less than 0.04, will be removed from any safety-sensitive position and will be subject to the discipline specified below. (See, CONSEQUENCES).

WARNING: ANY POSITIVE ALCOHOL TEST RESULT AT OR ABOVE 0.02 OR ANY REFUSAL TO TEST MAY AFFECT YOUR ELIGIBILITY FOR COMPENSATION AND BENEFITS UNDER THE WORKERS COMPENSATION LAWS OF THIS STATE.

The City also expressly reserves the right to add or delete substances on the list above, especially if mandated by changes in existing Federal, State or local regulations or legislation.

If or where the City specifically authorizes the use of alcohol at a City sponsored event(s) NO ONE may consume to excess.

Specimen Collection Procedure

Trained collection personnel, who meet quality assurance and chain-of-custody requirements for urine collection and breath-alcohol testing, shall conduct testing. Confidentiality is required from all service providers. Any individual subject to testing under this policy shall be permitted to provide urine specimens in private, but subject to strict scrutiny by collection personnel so as to avoid any adulteration or substitution of the specimen to be provided.

Breath alcohol testing will likewise be done in an area that affords the individual privacy. In all cases, there will only be one individual tested at a time. Failure to appear for testing when scheduled shall be considered refusal to participate in testing, and will result in termination. (For an applicant, failure to appear will result in withdrawal of any offer of employment).

Review of Test Results

To ensure that every employee who is subjected to drug and alcohol testing by the City is treated in a fair and impartial manner, the City has hired a Medical Review Officer ("MRO"). The MRO is a medical doctor or doctor of osteopathic medicine with a specialized knowledge of substance abuse disorders. The MRO will be able to determine whether there are any valid reasons for the presence in the employee's system of the substance that was tested positive.

Consequences

WARNING: ANY POSITIVE RESULT OR ANY REFUSAL TO TEST MAY AFFECT YOUR ELIGIBILITY FOR COMPENSATION AND BENEFITS UNDER THE WORKERS COMPENSATION LAWS OF THIS STATE.

ALCOHOL USE: Alcohol positive at or above 0.02: Termination.

Any alcohol positive in excess of 0.08 could affect your eligibility and/or result in a loss of compensation and benefits under this state's workers compensation laws.

DRUG USE: Any reported, confirmed result for the presence of any prohibited controlled substance **WILL, THE FIRST TIME, RESULT IN TERMINATION.**

Refusal: Any refusal to submit to testing, failure to cooperate with the test process or any attempt to adulterate a sample may result in termination of employment and may affect eligibility for compensation and benefits under the state's workers compensation laws. (Ord. 140-11)

Rights of Employees with Initial Positive Test Result

An employee who tests positive under this policy will be given an opportunity to explain, in confidence, the findings to the MRO prior to the issuance of a positive test result to the City. Upon receipt of a confirmed positive finding, the MRO will attempt to contact the employee by telephone or in person. If contact is made by the MRO, the employee will be informed of the positive finding and given an opportunity to rebut or explain the findings. The MRO can request information on recent medical history and on medications taken within the last thirty days by the employee. If the MRO finds support in the explanation offered by the employee, the employee may be asked to provide documentary evidence to support the employee's position (for example, the names of treating physicians, pharmacies where prescriptions have been filled, etc.). A failure on the part of the employee to provide such documentary evidence will result in the issuance of a positive report by the MRO with no attendant medical explanation.

If the employee fails to contact the MRO as instructed, the employee will be considered to have waived the right to do so and/or to have failed to cooperate in the test process. The MRO will issue an appropriate (positive/confirmed adulteration, etc.) report to the City.

Requirements for Notification of Drug or Alcohol Arrest and/or Conviction

Employees are required to notify their Supervisor or the Law Director of any criminal drug and/or alcohol arrest or conviction within five (5) days after such incident. Employees who are convicted are subject to immediate termination, but first time offenders who are full-time employees convicted of drug or alcohol offenses for acts which did not occur on City time, on City premises or in City vehicles or equipment may be eligible for reinstatement after successful completion of an approved substance abuse evaluation/rehabilitation program. Reinstatement will require, at a minimum, that the employee 1) undergo a return-to-duty test for controlled substances, 2) agree to continue in any after-care program recommended by the employee's treating professionals and 3) be subject to periodic unannounced follow-up testing for a period of twenty-four (24) months following the return to work.

Employees who fail to comply with the notice requirements of this policy are subject to discipline, including but not limited to, termination.

Reporting Results

All test results (positive, negative, adulterated) will be reported directly to the MRO by the laboratory prior to the results being issued to the City. Each substance tested for will be listed along with the results of the testing. The City will receive a summary report, and this report will indicate that the employee passed or failed the test. All of these procedures are intended to be consistent with the most current guidelines for Medical Review Officers, published by the federal DHHS.

Storage of Test Results and Right to Review Test Results

All records of drug/alcohol testing will be stored separately and apart from the employee's general personnel documents. These records shall be maintained under lock and key at all times. Access is limited to designated City officials on a "need to know" basis. The information contained in these files shall be utilized only to properly administer this policy and provided to certifying agencies for review as required by Law. Those designated City officials that shall have access to these records are charged with the responsibility of maintaining the confidentiality of these records. Any breach of

confidentiality with regard to these records may be an offense resulting in termination of employment. Any employees tested under this policy have the right to review and/or receive a copy of their respective test results. An employee may request from the Drug-Free Workplace Program Administrators, in writing, with a duly notarized Employee Request for Release of Drug Tests Results form, that a copy of the test be provided. The City will use its best efforts to promptly comply with this request and will issue to the employee a copy of the results personally or by U.S. Certified Mail, Return Receipt Requested.

Positive Test Results

Employees who are found to have a confirmed positive drug or alcohol test will be immediately taken off safety-sensitive duties and are subject to the consequences as set forth in this policy.

Termination Notices

In those cases where testing results in the termination of employment, all termination notices will list "misconduct" as the reason. Termination shall be deemed "for cause."

RESERVATION OF RIGHTS

City of Medina reserves the right to interpret, change or rescind this policy in whole or in part at any time with or without notice. In addition, changes to applicable federal, state or local laws or regulations are deemed to be adopted whether specifically stated in this policy or not. As noted above, this policy and any oral representation related to it do not create a binding employment contract of any kind or any promise of job security upon which an employee should rely other than as currently provided in an existing city-employee relationship.

APPENDIX

Appendix 1:	Definitions
Appendix 2:	Drug and Alcohol Terminology
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APPENDIX 1 Definitions

The following definitions shall apply to the interpretation and enforcement of this policy. Where any conflict occurs between this policy and state law, state law shall govern.

Glossary of Acronyms

ADA Americans with Disabilities Act
ADAMH Alcohol, Drug Addiction and Mental Health Services Board (Ohio)
ADAS Alcohol and Drug Addiction Services Board (Ohio)
AOD Alcohol and Other Drugs
BAC Blood Alcohol Content
BWC (Ohio) Bureau of Workers 'Compensation
CADCA Community Anti-Drug Coalition of America
CAP College of American Pathologists
CCDCIII Certified Chemical Dependency Counselor
CEAP Certified Employee Assistance Professional
DHHS U.S.Department of Health and Human Services
DOT U.S.Department of Transportation
EAP Employee Assistance Program
FMCSA Federal Motor Carrier Safety Administration
5-Panel A drug test covering five drugs (required by DOT/FMCSA)
GC Gas Chromatography (part of confirmatory drug test)
MCO Managed Care Organization
MRO Medical Review Officer
MS Mass Spectrometry (part of confirmatory drug test)
NCADI National Clearinghouse of Alcohol and Drug Information
NHTSA National Highway Traffic Safety Administration
NIDA National Institute on Drug Abuse (now SAMHSA)
OBWC Ohio Bureau of Workers 'Compensation
OCPS 1 and Ohio Certified Prevention Specialist
ODADAS Ohio Department of Alcohol and Drug Addiction Services
OTC Over-The-Counter medications
SAMHSA Substance Abuse and Mental Health Services Administration
SAP Substance Abuse Professional
9-Panel A drug test covering nine drugs
TPA Third Party Administrator

APPENDIX 2
Drug and Alcohol Testing Terminology

Accident - an incident or injury which occurs on City property, on City business, or during working hours, or which involves City-supplied motor vehicles/equipment or motor vehicle/equipment being used for City purposes and which results in any of the following:

1. a fatality;
2. bodily injury requiring medical attention beyond first aid and administered within 32 hours of the incident;
3. vehicular and/or equipment damage in apparent excess of \$500.00, or non-vehicular property damage in apparent excess of \$500.00.

NOTE: A post-accident drug and/or alcohol test should be administered as soon as possible after necessary medical attention is administered; preferably within 2 hours for alcohol and 24 hours for drug.

Air blanks -A quality assurance test administered on an EBT to ensure that the machine is testing accurately.

Alcohol concentration -The amount of alcohol in an individual's breath, measured in grams per 210 liters of breath.

Alcohol test - a test used to detect the content level of alcohol in the blood (BAC). This may be performed by using federally authorized testing equipment such as breath or saliva test with an evidentiary breath testing device (EBT) applied for confirmation, or this level can be determined through a blood test.

Breath alcohol technician (BAT) -The only technician who can conduct a breath alcohol test for the Bureau's DFWP Program. To be classified a BAT, an individual is required to complete training and proficiency requirements outlined by the federal government.

Chain of custody -The protocol followed when submitting specimens for drug testing. It assures that there is no opportunity for contamination or switching of samples. Elements include signed and witnessed forms, sealed and initialed containers, and couriers requiring a receipt.

Collection site -A place where individuals provide specimens of their urine to be analyzed for the presence of drugs, or breath, saliva or (on rare occasion) blood to be analyzed for the presence of alcohol. This site may or may not be owned and/or operated by the laboratory that actually analyzes the specimen.

Collection site person - Only those individuals qualified in accordance with federal guidelines (49 CFR Part 40) shall be permitted to administer a drug test collection under this policy unless otherwise specified.

City property or premises - including buildings, offices, warehouses, plants, facilities, land, equipment, vehicles which are owned/leased/used for City business and parking lots owned/utilized by the City or any customers or supplier of the City. It also includes any other site at which the City business is transacted whether on or away from the City's property.

Confirmatory test -When testing for drugs, this is the second analytical procedure to confirm the presence of a specific drug/metabolite in a urine specimen. This procedure uses a more sophisticated technique (e.g., GC/MS, EBT) to ensure reliability and accuracy. With breath testing for alcohol, the confirmatory test is conducted on an EBT which has the capability to print out the results, date and time, a sequential test number, and the name and serial number of the testing device.

Cut-off level -A pre-determined amount of drug metabolite, measured in nanograms (ng) per milliliter (ml) of urine, which constitutes whether a tested specimen is negative or positive. For example, a test would be declared positive if the amount of drug/metabolite were equal to or above the cut-off level. Employers typically choose levels that have been adopted and tested by a recognized authority such as the Department of Health and Human Services (DHHS) or, for drugs other than the "DOT 5," are recommended by their DHHS-certified laboratory.

DHHS (also referred to as NIDA or SAMHSA) -certified laboratory -A drug testing facility, which is certified and closely monitored by the DHHS. To obtain and maintain certification, a laboratory must undergo extensive performance testing and on-site inspections.

Drug metabolite -The specific substance produced when the body breaks down a given drug as it passes through the body and is excreted in the urine.

Drug test - Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques and laboratory facilities which have been approved by the U.S. Department of Health and Human Services (DHHS) as being certified to meet 29 CFR Part 40 requirements. The test will analyze the amount of drug/metabolite present compared to the established guidelines adopted by the Department of Health and Human Services (DHHS). Thresholds shall be established by the chosen laboratory in accordance with appropriate scientific standards. Both a screening test and a confirmation must be used to establish a positive test result. (Ord. 156-10)

Evidentiary breath testing devices (EBT) -Instruments used to measure the amount of alcohol in an individual's system. In DOT/FMCSA-mandated alcohol testing, these instruments are approved by the federal government and operated by trained and certified technicians. The DFWP Program is modeled on the federal programs in terms of procedures.

Enzyme multiplied immunoassay technique (EMIT) -A preliminary screening test performed on a urine specimen to identify the presence of a drug/metabolite in an individual's system. If this test is positive, while accurate, a second and more sophisticated analysis is conducted to confirm which drug/metabolites are present and in what quantity.

Gas Chromatography/Mass Spectrometry (GC/MS) -A state-of-the-art test used to confirm the presence and amount of an identified drug/metabolite in a urine specimen.

Laboratory -Facility where a urine specimen is analyzed for the presence of drugs/metabolites. The specimen is typically not collected at this facility, but rather at a designated collection site that then ensures timely transport of the specimen to the laboratory.

Medical Review Officer (MRO) -A licensed physician responsible for receiving laboratory results and determining if there is a medical explanation for the presence of drugs/metabolites in the donor's urine. This physician must be qualified in accordance with federal guidelines (49 CFR Part 40) and have knowledge of substance use disorders and appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his/her medical history and any other relevant medical information.

On the job – during working hours, while performing work duties, while acting within the scope of employment, and/or while on, in or using City premises or property. Subject to the alcohol exception this also includes breaks, meal periods, and time between split shifts regardless of whether the employee is actually on City premises.

Prohibited or illegal drugs – chemical substances which:

- a. are not legally obtainable
- b. are legally obtainable but have been obtained or are used illegally; or
- c. are not for the purpose for which they are prescribed or manufactured; and
- d. may include, but not limited to the following:
marijuana, cocaine, opiates (morphine, heroin, codeine), alcohol, amphetamines, benzodiazepines, barbiturates, phencyclidine (PCP), **methadone, and propoxyphene.**
(Ord. 56-08)

Reasonable suspicion – a belief that illegal drug and/or alcohol involvement and/or use is influencing employee's behavior, appearance, job performance, or fitness for duty, and/or that employee is under the influence of or is possessing, selling, purchasing, receiving, manufacturing or distributing illegal drugs or alcohol while on the job or while on City premises.

- a. Observed behavior, such as direct observation of drug/alcohol use or possession and/or the physical symptoms of drug and/or alcohol use;
- b. A pattern of abnormal conduct or erratic behavior;
- c. Arrest or conviction for a drug-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or trafficking. The employee is responsible for notification to the City, within five (5) working days, of any drug-related conviction;
- d. Information provided either by reliable and credible sources or independently corroborated regarding an employee's substance use; or
- e. Newly discovered evidence that the employee has tampered with a previous drug or alcohol test.

Reasonable suspicion testing does not require certainty, but mere "hunches" are not sufficient to justify testing. To prevent this, all supervisors will be trained in the recognition of drug and alcohol-related signs and symptoms. Testing may be for drugs or alcohol or both.

Re-test -A second-opinion analysis of a urine specimen originally deemed positive for drugs/metabolites. This test is usually requested by the donor and performed at a laboratory meeting the same standards as the lab conducting the first analysis.

Safety sensitive – any job or function, identified by the City, which by the nature of the work activity, could be dangerous and/or unsafe to the employee, co-workers, customers or the general public due to any momentary lapse in attention or judgment. .

Screening Test Technician (STT) -A technician who is qualified under federal guidelines (49 CFR Part 40 as may be amended) to use the saliva testing mechanism to screen for alcohol.

Substance Abuse Professional (SAP) -A professional who is qualified under federal guidelines (49 CFR Part 40) to perform alcohol/drug assessments. Such qualified professionals include licensed physicians, licensed/certified psychologists, social workers, employee assistance professionals and certified addiction counselors with knowledge of and clinical experience in the diagnosis and treatment of alcohol/drug-related disorders.

x

APPENDIX 3
Notification of Testing

Instructions This form is to be completed, then read and signed by the employee or prospective employee.

I understand that as required by *City of Medina Drug-Free Workplace Policy*, I must, as a condition of employment, submit to an alcohol test to determine alcohol concentration, and/or to a urine drug screen for controlled substances. I fully understand that a positive test result for alcohol or drugs (controlled substances) will render me unqualified to perform assigned tasks and **will result in termination of employment**. I understand that for any confirmed Alcohol Test with results of 0.02 or greater, I must remain at this collection site until the City provides alternate transportation.

I further understand that any positive test result for drugs, an alcohol result at or above 0.08 or any refusal to test may affect my eligibility for compensation and benefits under this state's workers compensation laws.

A Medical Review Officer who will report the results as negative or positive will maintain results of the drug test. If a positive test result is reported, the identity of the controlled substance will be released to the designated City representative. I also understand that if the test result is positive, I can request a re-test of the specimen by another DHHS-certified lab at my own expense. This request must be made in writing within 72 hours of the notification of the positive result.

The test I am submitting to is to fulfill the following requirements: *Non-DOT* Drug Screen
 Breath Alcohol

Pre-Employment Random Reasonable Suspicion
 Post Accident Return to Duty Follow-up

COLLECTION SITE

Report to: _____ at _____
FACILITY NAME ADDRESS

Scheduled Appointment _____ at _____
DATE TIME

Time Notified: _____ Time Arrived at Collection Site: _____

EMPLOYEE ACKNOWLEDGMENT

As a condition of my employment, I agree to the Breath Alcohol Testing and/or urine sample collection for Controlled Substance Testing. I have read and understand the above requirements. I agree to report for drug and/or alcohol testing and consent to the release of the test results to the City.

I, _____
Print Name Applicant or Employee Signature

Phone # where employee can be reached: _____

APPENDIX 4
Acknowledgement of Receipt

DRUG-FREE WORKPLACE POLICY

By signing this form in the space provided below you are acknowledging that you have received a copy of **City of Medina**. Drug-Free Workplace Policy, that you speak and understand English, has had the opportunity to discuss the policy and have questions answered.

Your signature below acknowledges your agreement to abide by the provisions of this policy and you recognize that any violation **will lead to termination** of your employment.

WARNING: ANY POSITIVE RESULT OR ANY REFUSAL TO TEST MAY AFFECT YOUR ELIGIBILITY FOR COMPENSATION AND BENEFITS UNDER THE WORKERS COMPENSATION LAWS OF THIS STATE.

Date Signed

Employee's Signature

Witness Signature

Printed Name of Employee

APPENDIX 5
Drug and Alcohol Testing Procedure for Commercial Drivers

The following provisions shall be applied to any employee that is required to hold a commercial drivers license (CDL) to perform assigned tasks. Where appropriate, those employees holding a CDL may also be tested under the general company testing provisions, such as in post injury situations where there is no DOT-reportable accident but there is an injury requiring medical attention away from the site of the injury, provided it has been determined that reasonable suspicion of prohibited substance use exists.

Applies to: Any employee required to hold a commercial drivers license to perform assigned tasks and/or who operates any vehicle in excess of 26,001 pounds gross vehicular weight.

Definitions: See the general company policy. If there is a conflict between the general company policy and this APPENDIX, this APPENDIX shall apply. The following definitions shall govern any interpretation involving a commercial driver:

"Actual knowledge" applies only to federally regulated workers and means actual knowledge by an employer that a has used alcohol or controlled substances based on the employer's direct observation of the employee, information provided by the driver's previous employer(s), a traffic citation for driving a CMV while under the influence of alcohol or controlled substances or an employee's admission of alcohol or controlled substance use, except as provided elsewhere in this policy. Direct observation as used in this definition means observation of alcohol or controlled substance use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing under this policy.

"Adulterated specimen" means a specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

"Air blank" means, in evidential breath testing devices (EBTs) using gas chromatography technology, a reading of the device's internal standard. In all other EBTs, a reading of ambient air containing no alcohol.

"Alcohol" means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

"Alcohol concentration" (or content) means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test under this policy.

"Alcohol confirmation test" means a subsequent test using an EBT, following a screening test with a result of 0.02 or greater that provides quantitative data about the alcohol concentration.

"Alcohol screening device (ASD)" means a breath or saliva device, other than an EBT, that is approved by the National Highway Traffic Safety Administration (NHTSA) and placed on a conforming products list (CPL) for such devices.

"Alcohol screening test" means an analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath or saliva specimen

"Alcohol testing site" means a place selected by the employer where employees present themselves for the purpose of providing breath or saliva for an alcohol test.

"Alcohol use" means the drinking or swallowing of any beverage, liquid mixture or preparation (including any medication), containing alcohol.

"Blind specimen or blind performance test specimen" means a specimen submitted to a laboratory for quality control testing purposes, with a fictitious identifier, so that the laboratory cannot distinguish it from an employee specimen.

"Breath Alcohol Technician (BAT)" means a person who instructs and assists employees in the alcohol testing process and operates an evidential breath testing device.

"Cancelled test" means a drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which this policy otherwise requires to be cancelled. A cancelled test is neither a positive nor a negative test.

"Chain of custody" means the procedure used to document the handling of the urine specimen from the time the employee gives the specimen to the collector until the specimen is destroyed. This procedure uses the Federal Drug Testing Custody and Control Form (CCF).

"Collection container" means a container into which the employee urinates to provide the specimen for a drug test. Collection site. A place selected by the employer where employees present themselves for the purpose of providing a urine specimen for a drug test.

"Collector". A person who instructs and assists employees at a collection site, who receives and makes an initial inspection of the specimen provided by those employees, and who initiates and completes the CCF.

"Commerce" means: (1) Any trade, traffic or transportation within the jurisdiction of the United States between a place in a State and a place outside of such State, including a place outside of the United States; and (2) Trade, traffic, and transportation in the United States which affects any trade, traffic, and transportation described in paragraph (1) of this definition.

"Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the vehicle-- (1) Has a gross combination weight rating of 11,794 or more kilograms (26,001 or more pounds) inclusive of a towed unit with a gross vehicle weight rating of more than 4,536 kilograms (10,000 pounds); or (2) Has a gross vehicle weight rating of 11,794 or more kilograms (26,001 or more pounds); or (3) Is designed to transport 16 or more passengers, including the driver; or (4) Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act (49 U.S.C. 5103(b)) and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F).

"Confirmation (or confirmatory) drug test" means a second analytical procedure performed on a urine specimen to identify and quantify the presence of a specific drug or drug metabolite.

"Confirmation (or confirmatory) validity test" means a second test performed on a urine specimen to further support a validity test result.

"Confirmed drug test" means a confirmation test result received by an MRO from a laboratory.

"Consortium/Third party administrator (C/TPA)" means a service agent that provides or coordinates one or more drug and/or alcohol testing services to DOT-regulated employers. C/TPAs typically provide or coordinate the provision of a number of such services and

perform administrative tasks concerning the operation of the employers' drug and alcohol testing programs. This term includes, but is not limited to, groups of employers who join together to administer, as a single entity, the DOT drug and alcohol testing programs of its members (e.g., having a combined random testing pool). C/TPAs are not "employers" for purposes of this policy.

"Controlled substances" mean those substances to be tested including the following: (a) Marijuana metabolites. (b) Cocaine metabolites. (c) Amphetamines. (d) Opiate metabolites. (e) Phencyclidine (PCP).

"Designated employer representative (DER)" shall be a company designee who shall receive communications and test results from service agents and who is authorized to take immediate actions to remove employees from safety-sensitive duties and to make required decisions in the testing and evaluation processes.

"Dilute specimen" means a specimen with creatinine and specific gravity values that are lower than expected for human urine.

"Disabling damage" means damage which precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs. (1) Inclusions. Damage to motor vehicles that could have been driven, but would have been further damaged if so driven. (2) Exclusions. (i) Damage which can be remedied temporarily at the scene of the accident without special tools or parts. (ii) Tire disablement without other damage even if no spare tire is available. (iii) Headlight or taillight damage. (iv) Damage to turn signals, horn, or windshield wipers which make them inoperative.

"DOT Agency" means an agency (or "operating administration") of the United States Department of Transportation administering regulations requiring alcohol and/or drug testing (14 CFR parts 61, 63, 65, 121, and 135; 49 CFR parts 199, 219, 382, and 655), in accordance with 49 CFR part 40

"Driver" means any person who operates a commercial motor vehicle. This includes, but is not limited to: Full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent owner-operator contractors.

"Drugs" mean the substances for which tests are required under this policy and include marijuana, cocaine, amphetamines, phencyclidine (PCP), and opiates.

"Evidential Breath Testing Device" (EBT). A device approved by NHTSA for the evidential testing of breath at the .02 and .04 alcohol concentrations, placed on NHTSA's Conforming Products List (CPL) for "Evidential Breath Measurement Devices" and identified on the CPL as conforming with the model specifications available from NHTSA's Traffic Safety Program.

"HHS" means the Department of Health and Human Services or any designee of the Secretary, Department of Health and Human Services.

"Initial drug test" means the test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

"Initial validity test" means the first test used to determine if a specimen is adulterated, diluted, or substituted.

"Invalid drug test" means the result of a drug test for a urine specimen that contains an unidentified adulterant or an unidentified interfering substance, has abnormal physical characteristics, or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing or obtaining a valid drug test result.

Laboratory. means any U.S. laboratory certified by HHS under the National Laboratory Certification Program as meeting the minimum standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs

"Licensed medical practitioner" means a person who is licensed, certified, and/or registered, in accordance with applicable Federal, State, local, or foreign laws and regulations, to prescribe controlled substances and other drugs.

"Medical Review Officer (MRO)" means a person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results

"Performing (a safety-sensitive function) means" a driver of any vehicle or operator of any equipment and applies to any employee considered to be performing a safety-sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

"Positive rate" applies only to federally regulated workers and means the number of positive results for random controlled substances tests conducted under this policy plus the number of refusals of random controlled substances tests required by this policy, divided by the total of random controlled substances tests conducted under this policy plus the number of refusals of random tests required by this policy.

Primary specimen in drug testing means the urine specimen bottle that is opened and tested by a first laboratory to determine whether the employee has a drug or drug metabolite in his or her system; and for the purpose of validity testing. The primary specimen is distinguished from the split specimen, defined in this section.

"Refuse to submit" (to an alcohol or controlled substances test) means that an employee:

(1) Fails(ed) to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer. This includes the failure of an employee (including an owner-operator) to appear for a test when called by a C/TPA;

(2) Fails(ed) to remain at the testing site until the testing process is complete. Provided, that an employee who leaves the testing site before the testing process commences a pre-employment test is not deemed to have refused to test;

(3) Fails(ed) to provide a urine specimen for any drug test required by this policy or DOT agency regulations. Provided, that an employee who does not provide a urine specimen because he or she has left the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test;

(4) In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of the employee's provision of a specimen;

(5) Fails(ed) to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;

(6) Fails(ed) or declines to take a second test the employer or collector has directed the employee to take;

(7) Fails(ed) to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER. In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment;

(8) Fails(ed) to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process, or failing to complete all documents); or

(9) Is reported by the MRO as having a verified adulterated or substituted test result.

"Safety/Environmentally-sensitive function" ("S/ES") means all time from the time an employee begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. S/ES functions shall include:

- (1) All time at an employer plant, terminal, facility, or other property, or on any public property, unless the employee has been relieved from duty by the employer;*
- (2) All time inspecting equipment as required by company procedure or federal rule or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;*
- (3) All time spent at the controls of any vehicle/equipment in operation;*
- (4) All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth;*
- (5) All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and*
- (6) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.*

Screening test (or initial test) means: (1) In drug testing, a test to eliminate "negative" urine specimens from further analysis or to identify a specimen that requires additional testing for the presence of drugs. (2) In alcohol testing, an analytical procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath or saliva specimen.

"Screening Test Technician" (STT). A person who instructs and assists employees in the alcohol testing process and operates an ASD.

"Secretary" means the Secretary of Transportation or the Secretary's designee.

"Service agent" means any person or entity, other than an employee of the employer, who provides services specified under this. This includes, but is not limited to, collectors, BATs and STTs, laboratories, MROs, substance abuse professionals, and C/TPAs. To act as service agents, persons and organizations must meet the qualifications set forth in applicable law. Service agents are not employers for purposes of this policy.

"Shipping container" means a container that is used for transporting and protecting urine specimen bottles and associated documents from the collection site to the laboratory.

"Specimen bottle" means the bottle that, after being sealed and labeled according to the procedures in this policy, is used to hold the urine specimen during transportation to the laboratory.

"Split specimen", in drug testing, means a part of the urine specimen that is sent to a first laboratory and retained unopened, and which is transported to a second laboratory in the event that the employee requests that it be tested following a verified positive test of the primary specimen or a verified adulterated or substituted test result.

"Stand-down" means the practice of temporarily removing an employee from the performance of safety-sensitive functions based only on a report from a laboratory to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test, before the MRO has completed verification of the test result.

"Substance Abuse Professional (SAP)". A person who evaluates employees who have violated this policy and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

"Substituted specimen" A specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine. Verified test. A drug test result or validity testing result from an HHS-certified laboratory that has undergone review and final determination by the MRO.

"Violation rate" applies only to federally regulated workers and means the number of drivers found during random tests given under this policy to have an alcohol concentration of 0.04 or greater, plus the number of drivers who refuse a random test required by this policy, divided by the total reported number of drivers in the industry given random alcohol tests under this policy plus the total reported number of drivers in the industry who refuse a random test required by this policy

Test events:

Pre-employment tests: No individual shall be allowed to serve in a safety-sensitive capacity until a verified negative test result. Before any individual performs any safety-sensitive duties the first time after being hired by the Company you must obtain that individual's written consent to contact any commercial employer where that individual worked during the previous two (2) years to obtain the following information:

- (1) Alcohol tests with a result of 0.04 or higher alcohol concentration;
- (2) Verified positive drug tests;
- (3) Refusals to be tested (including verified adulterated or substituted drug test results);
- (4) Other violations of DOT agency drug and alcohol testing regulations; and
- (5) With respect to any employee who violated a DOT drug and alcohol regulation, documentation of the employee's successful completion of DOT return-to-duty requirements (including follow-up tests). If the previous employer does not have information about the return-to-duty process (e.g., an employer who did not hire an employee who tested positive on a pre-employment test), you must seek to obtain this information from the employee.

If feasible, we must obtain and review this information before the employee first performs safety-sensitive functions. If this is not feasible, we must obtain and review the information as soon as possible. However, we must not permit the employee to perform safety-sensitive functions *after 30 days* from the date on which the employee first performed safety-sensitive functions, unless we have obtained or made and documented a good faith effort to obtain this information.

If we obtain information that the employee has violated a DOT agency drug and alcohol regulation, we must not use the employee to perform safety-sensitive functions unless we also obtain information that the employee has subsequently complied with the return-to-duty requirements of this policy.

We must provide to each of the employers from whom you request information under paragraph (b) of this section written consent for the release of the information cited in paragraph (a) of this section.

The release of information under this section must be in any written form (e.g., fax, e-mail, and letter) that ensures confidentiality. As the previous employer, we must maintain a written record of the information released, including the date, the party to whom it was released, and a summary of the information provided.

When information is requested from us we must, after reviewing the employee's specific, written consent, immediately release the requested information to the employer making the inquiry.

As the employer requesting the information required under this section, we must maintain a written, confidential record of the information you obtain or of the good faith efforts you made to obtain the information. We must retain this information for three (3) years from the date of the employee's first performance of safety-sensitive duties for us.

As the employer, we must also ask the employee whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee applied for, but did not obtain, safety-sensitive transportation work covered by DOT agency drug and alcohol testing rules during the past two years. If the employee admits that he or she had a positive test or a refusal to test, we must not use the employee to perform safety-sensitive functions for us, until and unless the employee documents successful completion of the return-to-duty.

Post-accident tests: Any employee performing safety-sensitive commercial driver tasks who is involved in the following incidents shall undergo drug and alcohol testing:

(a) As soon as practicable following an accident involving a commercial motor vehicle operating on a public road in commerce, tests for the use of alcohol and drugs shall be required for:

- (1) Any driver who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
- (2) Any driver who receives a citation within 8 hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
 - (i) Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
 - (ii) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

All required post-accident alcohol tests should be performed within two (2) hours following the accident and in all cases must be performed within eight (8) hours. If the test cannot be performed within 2 hours a note shall be maintained explaining why it could not be conducted. If the test cannot be performed within 8 hours there shall be no further attempt to conduct the test and a note shall be maintained in the driver's file.

If a test required by this section is not administered within 32 hours following the accident, the employer shall cease attempts to administer a controlled substances test, and prepare and maintain on file a record stating the reasons the test was not promptly administered. Records shall be submitted to any government agency upon request. A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the employer to have refused to submit to testing. Nothing in this section shall be construed to

require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care. The Company shall provide drivers with necessary post-accident information, procedures and instructions, prior to the driver operating a commercial motor vehicle, so that drivers will be able to comply with the requirements of this section.

Random Testing: All commercial drivers shall be testing on a random basis from a separate random selection pool at the rate of **10% for alcohol** and **50% for drugs**. If selected, a driver shall cease any duties and proceed immediately to an approved facility for collection of samples. A driver shall only be tested for alcohol on as random basis just before, during and just after performing a safety sensitive function.

Confidentiality of records:

In accordance with general company policy, all records related to drug and alcohol testing shall be maintained in a confidential manner and only disclosed with the written consent of the driver or in accordance with law.

REQUEST FOR COUNCIL ACTION

No. RCA 19-174-10/15

FROM: Medina Municipal Court
DATE: September 30, 2019
SUBJECT: Retro Pay for Chief Probation Officer Training

Committee: Finance

SUMMARY AND BACKGROUND:

Medina Municipal Court respectfully requests Council to approve retro pay for Matthew Esterle, New Chief Probation Officer.

Matthew trained with Marirose Power on August 26, 2019 and August 27, 2019. This request is to retro pay Matthew Esterle his two days of training. Council and Mayor approved the new Chief Probation Officer pay on September 10, 2019, ord 126-19.

Estimated Cost:

Suggested Funding:

- sufficient funds in Account No.
- transfer needed from Account No. to Account No.
- **NEW APPROPRIATION** needed in Account No.

Emergency Clause Requested: YES

Reason:

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

**Ord./Res.
Date:**

REQUEST FOR COUNCIL ACTION

No. RCA 19-175-10/15

FROM: John Coyne – President of Council
DATE: October 1, 2019
SUBJECT: Vacating City R-O-W from Church Property

Committee: Finance

SUMMARY AND BACKGROUND:

St. Francis Xavier Parish and the Diocese of Cleveland have approached the city about trying to acquire a portion of the public right of way that extends south from SR 18 into the Church property. In 1987 St. Francis dedicated this piece of property to the City as public right of way; they would like to re-acquire it now. The plat was dedicated in Ordinance No. 138-87, passed December 14, 1987.

See attached letter and copy of Ord. 138-87.

Estimated Cost:

Suggested Funding:

- sufficient funds in Account No.
- transfer needed from Account No. to Account No.
- NEW APPROPRIATION needed in Account No.

Emergency Clause Requested: No

Reason:

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord./Res.
Date:



St. Francis Xavier Parish

cc: Council
Mayor
Past P.

September 24, 2019

Medina City Council

c/o Mr. John Coyne, Council President

132 N. Elmwood Avenue

Medina, Ohio 44256

Re: Ordinance No. 138-87

RECEIVED

OCT 01 2019

BY: KP

Dear Mr. Coyne,

Currently, St. Francis Xavier Parish is considering opportunities to enhance our property in the best interest of our community.

On December 14, 1987, The Medina City Council passed Ordinance No. 138-87 in which the City of Medina vacated a portion of real estate on East Washington Street and accepted from the Bishop of the Catholic Diocese of Cleveland on behalf of St. Francis Xavier Parish a dedication plat of real estate on East Washington Street for street and all other utility purposes. The purpose of this dedication plat was to better serve the needs of our students. The need for the dedicated plat is no longer needed to serve our students and we believe development of this area will better serve the community. Therefore, we are respectfully requesting the City of Medina vacate the plat of real estate dedicated in Ordinance No. 138-87. We welcome the ability to further discuss this request with Council.

Thank you for your time and consideration.

In Christ,

Rev. Tony Sejba

Pastor St. Francis Xavier Parish

ORDINANCE NO. 138-87

AN ORDINANCE VACATING A PORTION OF REAL ESTATE ON EAST WASHINGTON STREET AND ACCEPTING A DEDICATION PLAT OF REAL ESTATE ON EAST WASHINGTON STREET FOR STREET AND ALL OTHER UTILITY PURPOSES.

WHEREAS: Ordinance No. 143-83, passed September 26, 1983, dedicated a portion of real estate on East Washington Street at St. Francis Xavier Catholic Church for street and all other utility purposes; and

WHEREAS: At the written request of the property owner, the Planning Commission, at its November 12, 1987 meeting, approved the vacation plat and street dedication plat of a portion of real estate at 612 East Washington Street.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. I: That the portion of East Washington Street as shown on Exhibit A, attached hereto and made a part hereof, is hereby vacated.

SEC. II: That the street dedication plat for East Washington Street, as shown on Exhibit B, attached hereto and made a part hereof, is hereby dedicated to public use for street and all other purposes.

SEC. III: It is agreed and understood that the parish of St. Francis Xavier shall be responsible for all upkeep and maintenance on Out Lots 1 and 2 as shown on Exhibit B.

SEC. IV: That this ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: December 14, 1987

SIGNED: Sally A. Livermore
President of Council

ATTEST: Catherine L. Horn
Clerk of Council

APPROVED: Dec 20, 1987

SIGNED: [Signature]
Mayor

I hereby certify that the foregoing Ordinance No. 138-87 was duly published by title only in the Medina County Gazette on the 19 day of JANUARY and the 26 day of JANUARY, 1988.

Catherine L. Horn
Clerk of Council

EXHIBIT A
ORD 138-87

ACCEPTANCE OF VACATION.

KNOW ALL MEN BY THESE PRESENTS THAT ANTHONY PILLA BISHOP, ROMAN CATHOLIC DIOCESE OF CLEVELAND, OHIO FOR ST. FRANCIS XAVIER CATHOLIC CHURCH OF MEDINA, OWNER OF THE LANDS ABUTTING THE DEDICATED RIGHT-OF-WAY SHOWN AND DO HEREBY CONSENT AND AGREE TO THE VACATION OF SAID RIGHT-OF-WAY AS SHOWN SHADDED IN YELLOW BY THE COUNCIL OF THE CITY OF MEDINA, OHIO.

ANTHONY PILLA, BISHOP
ROMAN CATHOLIC DIOCESE
OF CLEVELAND

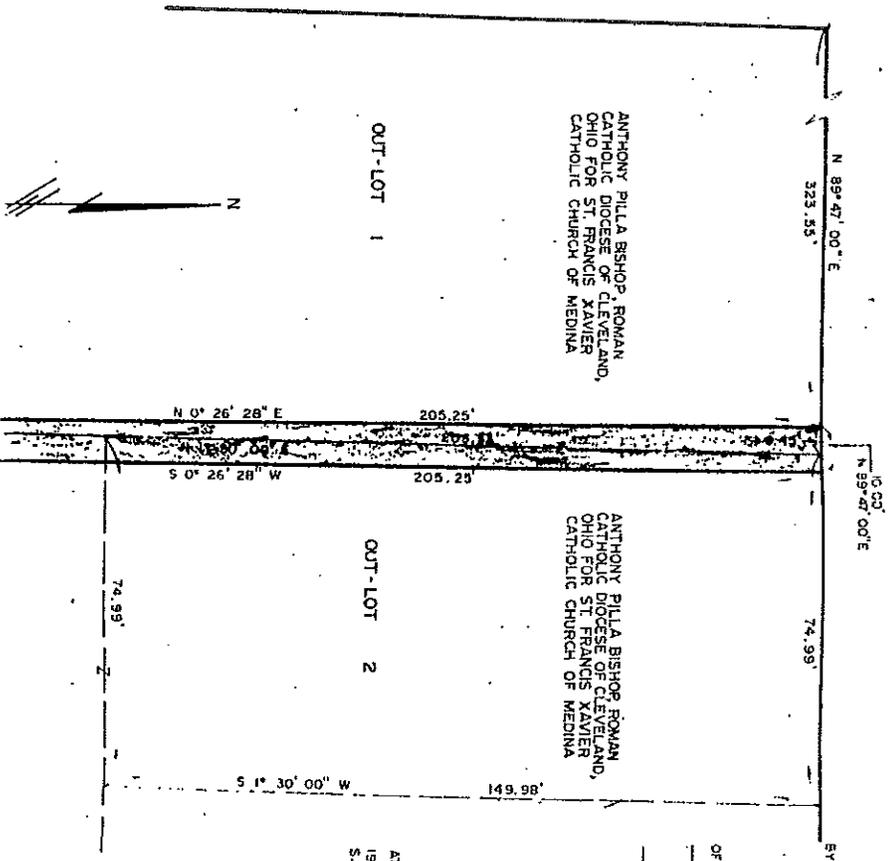
WITNESS

COUNTY OF MEDINA SS
STATE OF OHIO
BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED THE ABOVE SIGNED ANTHONY PILLA BISHOP, ROMAN CATHOLIC DIOCESE OF CLEVELAND, OHIO FOR ST. FRANCIS XAVIER CATHOLIC CHURCH OF MEDINA, WHO ACKNOWLEDGES THE SIGNING OF THE FOREGOING INSTRUMENT TO BE HIS OWN FREE ACT AND DEED AND IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL AT MEDINA, OHIO THIS _____ DAY OF _____, 19__.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

SPRING GROVE STREET 33'

EAST WASHINGTON STREET 60'



THIS IS BY THE CITY

THIS IS OF MEDINA, OHIO

RECEIVED

RECEIVED

AT _____ IN _____ S. E. 19__

EXHIBIT B
ORD. 138-87

ACCEPTANCE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT ANTHONY PILLA BISHOP, THE ROMAN CATHOLIC DIOCESE OF CLEVELAND, OHIO FOR ST. FRANCIS XAVIER CATHOLIC CHURCH OF MEDINA, OHIO, THE OWNER OF THE HEREIN DESCRIBED LAND DOES HEREBY ACKNOWLEDGE THIS PLAT TO BE HIS OWN FREE ACT AND DEED AND DOES HEREBY DEDICATE TO PUBLIC USE THAT AREA SHOWN HEREIN IN YELLOW SHADE.

[Signature]
WITNESS

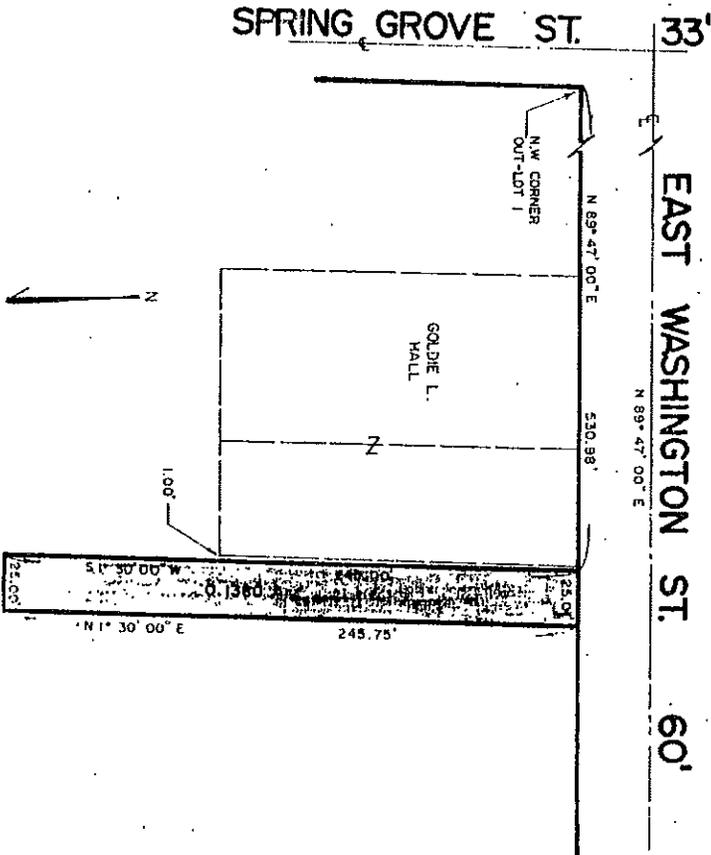
ANTHONY PILLA, BISHOP
ROMAN CATHOLIC
DIOCESE OF CLEVELAND

COUNTY OF CLEVELAND, OHIO, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED THE ABOVE SIGNED ANTHONY PILLA BISHOP, ROMAN CATHOLIC DIOCESE OF CLEVELAND, WHO ACKNOWLEDGES THE SIGNING OF THE FOREGOING INSTRUMENT TO BE HIS FREE ACT AND DEED. IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL AT _____ OHIO, THIS _____ DAY OF _____ 1987.

NOTARY PUBLIC

I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND SHOWN ON THIS PLAT, THAT THE PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED, THE SURVEY BALANCES AND CLOSES, THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT, AND THAT THE MONUMENTS SHOWN THEREON EXIST OR SHALL BE SET AS SHOWN.

[Signature]
THOMAS A. CUMMINGS
REG. OHIO SURVEYOR NO. 5274



T
R
E
C
H
E

From: Coyne, John [<mailto:jcoyne@ralaw.com>]
Sent: Friday, September 20, 2019 11:22 AM
To: Patrick Patton <ppatton@medinaoh.org>
Cc: Greg Huber <gghuber@medinaoh.org>; Kathy Patton <kpatton@medinaoh.org>; Dennis Hanwell <dhanwell@medinaoh.org>
Subject: RE: Vacating city right of way from church property

Do you have the facts of why it was dedicated?

John M. Coyne, III
Shareholder, Real Estate Practice Group Manager



222 S. Main St.
Suite 400
Akron, OH 44308
Direct Phone No.: 330.849.6677
Main Phone No.: 330.376.2700
Fax No.: 330.376.4577
Email: jcoyne@ralaw.com
www.ralaw.com
Roetzel & Andress, A Legal Professional Association

Both John M. Coyne, III and Roetzel & Andress intend that this message be used exclusively by the addressee(s). This message may contain information that is privileged, confidential and exempt from disclosure under applicable law. Unauthorized disclosure or use of this information is strictly prohibited. If you have received this communication in error, please permanently dispose of the original message and notify John M. Coyne, III immediately at 330-849-6677. Thank you.

From: Patrick Patton <ppatton@medinaoh.org>
Sent: Friday, September 20, 2019 10:45 AM
To: Coyne, John <jcoyne@ralaw.com>
Cc: Greg Huber <gghuber@medinaoh.org>; Kathy Patton <kpatton@medinaoh.org>; Dennis Hanwell <dhanwell@medinaoh.org>
Subject: FW: Vacating city right of way from church property

EXT:

John-

FYI, St. Francis and the Diocese of Cleveland have approached us about trying to acquire a portion of the public right of way that extends south from SR 18 into the Church property (see attached). In 1987 St. Francis dedicated this piece of property to the City as public right of way; they would like to re-acquire it now.

I wanted to let you know that the Diocese will be sending you a letter about this. I have spoken to Greg Huber about this, he's not sure of the process for vacating public right of way, how the vacated property would be transferred to another owner, etc.; he will have to look into it.

Let me know if you have any questions.

Patrick Patton, PE
City Engineer
City of Medina, Ohio

Phone: (330) 721-4721

Kathy Patton

From: Dennis Hanwell
Sent: Friday, September 20, 2019 11:47 AM
To: Patrick Patton; Coyne, John
Cc: Greg Huber; Kathy Patton; Jim Shields (shieldsj@medinabees.org)
Subject: RE: Vacating city right of way from church property

Jim is familiar with this previous restriction as well.

From: Patrick Patton
Sent: Friday, September 20, 2019 11:43 AM
To: Coyne, John <jcoyne@ralaw.com>
Cc: Greg Huber <ghuber@medinaoh.org>; Kathy Patton <kpatton@medinaoh.org>; Dennis Hanwell <dhanwell@medinaoh.org>
Subject: RE: Vacating city right of way from church property

First, for some reason, the original N-S right of way was dedicated in 1983 and was approximately 330 feet east of Spring Grove. In 1987 this right of way was moved to its present location, approximately 530 feet east of Spring Grove. We looked at the Council minutes from the original dedication (attached), unfortunately they don't go into detail as to why this was being done.

Based on our conversations with Fr. Tony from St. Francis, it is my understanding that back in the day, the State of Ohio would not permit state funds for special educational services, equipment, personnel, etc., to be spent on private school property. St. Francis had a mobile home/trailer type unit next to their school building that was used for special education; in order to comply with the state mandate that the mobile home/trailer was not on school property, and thus be able to use state funds, the land was dedicated as public right of way.

Patrick Patton, PE
City Engineer
City of Medina, Ohio

Phone: (330) 721-4721
Email: ppatton@medinaoh.org
Website: www.medinaoh.org

Medina City Hall / 132 N. Elmwood Avenue / Medina, Ohio 44256



OK for H. Arnold
10-2-19

REQUEST FOR COUNCIL ACTION

No. RCA 19-176-10/15
Committee: Finance

FROM: Sandy Davis
DATE: 10/1/19
SUBJECT: 603 S Broadway- Private Owner Rehabilitation

SUMMARY AND BACKGROUND:

This is a request for a purchase order for Absolute Construction for the Private Rehabilitation project at 603 S. Broadway, Medina, Ohio through the PY18 CHIP program. The contract including the scope of work are attached.

The total contract amount is \$32,189.00. The PO request is for \$33,000.00 in order to accommodate any unforeseen change orders. Any unused funds will be returned to the account from which they came.

- Estimated Cost: \$33,000
- Suggested Funding: \$33,000
- sufficient funds in Account No. 139-0458-52215 Activity #AC-18-06
- transfer needed from Account No. to Account No.
- NEW APPROPRIATION needed in Account No.

Emergency Clause Requested: Yes
Reason: 

The City of Medina CHIP program does not have a long list of contractors wanting to participate in the program due to the lengthy processes for payment. Contractor's participating in the CHIP program are put in a hardship cash flow situation and unable to bid on other CHIP projects without the timely payment for work completed.



COUNCIL USE ONLY:
Committee Action/Recommendation:

Council Action Taken:

Ord./Res.
Date:

Medina City Community Housing Impact and Preservation (CHIP) Program

Agreement for Loan/Grant and Contract for Housing Rehabilitation

This Agreement made and entered into this 1st Day of **October, 2019**, between **Kristyn M. Berger** and **Absolute Construction** for a deferred payment/ declining balance Loan to the Owner for rehabilitation work to be accomplished by the Contractor to the Owner's property located at: **603 S. Broadway St. Medina, OH 44256**

Owner Agrees:

1. I agree to the Terms and Conditions for Owners Accepting Housing Rehabilitation Assistance for the amount of **\$32,189.00** in the form of a deferred payments/ declining balance forgivable loan at 0% interest, only payable according to the terms of the Promissory Note, Truth-in-Lending Statement and Mortgage Document.
2. I agree to adhere to the Terms and Conditions for Owners Receiving Rehabilitation Assistance and agree to engage the Contractor to perform the services and supply the materials in accordance with the Contractor Terms and Conditions and Exhibit "A" - Work Specifications.
3. Instruct the Contractor to proceed work as of **October 7, 2019**, unless I, as Owner, exercise my Right of Rescission.
4. I agree to authorize the Local Public Agency (LPA) to compensate the Contractor in the amount of **\$32,189.00** for rehabilitation work which is satisfactorily completed and for which a Certificate of Completion is issued by the LPA. Compensation will be made in accordance with the method and schedule of payment shown below in Item 10.
5. Should the project be completed for less than the estimated amount, I agree that I will not be due a cash refund, but will instead have the amount of the mortgage reduced by the appropriate amount. Neither will the excess funds be allowed to be used for further property improvements unless necessary to meet State of Ohio Residential Rehabilitation Standards.

Contractor Agrees:

6. I agree to perform the services, daily site clean-up, and supply the materials in accordance with the Contractor Terms and Conditions and Exhibit "A" - Work Specifications for a total price of **32,189.00**.
7. I will also agree to the following stipulations for any work requiring lead-safe work practices:
 - a) That I shall make available for inspection by ODH staff during normal business hours anytime while the renovation, rehabilitation or paint repair is going on the entire work site, work specifications, and any documents related to this project.
 - b) That I will do work in a lead safe manner in order to protect both workers and Occupants.
 - c) That I shall maintain the worksite documentation of certification of all persons working on a project who have successfully completed an ODH-approved *Addressing Lead-Based Paint Hazards during renovation, remodeling and rehabilitation in Federally Owner and assisted Housing program* (or documentation that such persons are licensed abatement contractors or workers); and that the contractor shall provide such documentation to the ODH or ODOD personnel upon request.
 - d) That the City of Medina will terminate this agreement if I do not do the renovation, remodeling, or paint repair work in a lead safe manner consistent with ODH-approved *Addressing Lead-Based Paint Hazard*

Bid Tour Amendment

Kristyn Berger

Homeowner: ~~Lesle Fausnight~~

Address: ~~7635 Branson Lane Homerville Oh.~~

6035 S. Broadway Medina Oh.

Additions

#	Page	Spec No	Description	Price
1	4	15526	<p>Install smoke detector (hard wired in a series)</p> <p>Dwelling shall have approved smoke detectors, installed in accordance with the manufacturer's instructions, located as described in the RRS 6.6.3. Smoke detectors shall draw their primary power from the building wiring, with battery backup, and without interruption except for that required for over-current protection. Power shall be 120 volts. The wiring shall be interconnected, so that all detectors sound the alarm when anyone senses smoke</p> <p>NOTE: We are adding 1 to make it 6 totals. 3 Combos and 3 smokes.</p>	

Total

Deletions

#	Page	Spec No	Description	Price
1	8	16325	<p>Install Low E vinyl replacement window</p> <p>Remove old window components including storm windows, sash cords, rollers. Install vinyl, double pane, Low E glass window unit with at least a half screen. The sashes must be welded and white in color. The window shall be installed with all hardware and as per manufactures directions. Repair all damage. Replace any broken stops. If stops are replaced, then they must be painted to match existing color as close as possible. Caulk around all stops.</p> <p>NOTE: We are deleting 1 of the 3 windows.</p>	

Total

Include amendment prices in TOTAL Bid price

Contractors Signature

Date

OK
P. Harvey
10-2-19

REQUEST FOR COUNCIL ACTION

No. RCA 19-177-10/15

FROM: Sandy Davis
DATE: September 26, 2019
SUBJECT: Authorization of payment greater than or equal to \$3,000 in accordance with ORC 5705.41 (D) (1)
Committee: Finance

SUMMARY AND BACKGROUND:

In accordance with ORC 5705.41 (D) (1), I respectfully request that Council pass a resolution authorizing payment to Hinckley Roofing (see attached invoice). The purchase order was created after the final invoice was received.

This request for Council Action shall serve as the Finance Director's certification that there was at the time of the making of this contract and there is at the time of the execution of this certificate a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of the appropriate fund free from any previous encumbrances.

ORC 5705.41 (D) (1):

Except as otherwise provided in division (D)(2) of this section and section 5705.44 of the Revised Code, make any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision that the amount required to meet the obligation or, in the case of a continuing contract to be performed in whole or in part in an ensuing fiscal year, the amount required to meet the obligation in the fiscal year in which the contract is made, has been lawfully appropriated for such purpose and is in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances. This certificate need be signed only by the subdivision's fiscal officer. Every such contract made without such a certificate shall be void, and no warrant shall be issued in payment of any amount due thereon. If no certificate is furnished as required, upon receipt by the taxing authority of the subdivision or taxing unit of a certificate of the fiscal officer stating that there was at the time of the making of such contract or order and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances, such taxing authority may authorize the drawing of a warrant in payment of amounts due upon such contract, but such resolution or ordinance shall be passed within thirty days after the taxing authority receives such certificate; provided that, if the amount involved is less than one hundred dollars in the case of counties or three thousand dollars in the case of all other subdivisions or taxing units, the fiscal officer may authorize it to be paid without such affirmation of the taxing authority of the subdivision or taxing unit, if such expenditure is otherwise valid.

Estimated Cost:

Suggested Funding:

- sufficient funds in Account No. 138-0458-52215 Activity AC-18-04
- transfer needed from Account No. _____ to Account No. _____
- NEW APPROPRIATION needed in Account No. _____

Emergency Clause Requested: Yes

Reason: Vendor is waiting for payment.

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord./Res. Ord. 158-19
Date: 10-15-19

CHIP Itemized Draw

Contractor: Hinckley Roofing
 Project Address: 1038 Millbury Dr. Medina OH 44256

	Draw Date:				Total Paid
	Bid Price	Draw #1	Draw #2	Draw #3	

Contractor's Request for Payment / Invoice

Draw # **CHIP** Date:

Contractor: Hinckley Roofing
 Address: PO 458 Hinckley OH 44233

I, the Contractor, am requesting payment for the above itemized rehabilitation work completed at the property at **1038 Millbury Dr. Medina Oh 44256**

<i>AC-18-04</i>	Contract Price	\$	9,250.00
PO #	Line #	This Pay Request	\$ 9,250.00
Partial	Complete	Previous Payments	\$ -
Date:	Approved:	Balance of Contract	\$ -

Contractor	I certify that the above payment request is correct and that this request for payment is justified based on the rehabilitation work which has been successfully completed.	
	<i>Tony Riccio</i>	<i>9-12-19</i>
	Contractor: Hinckley Roofing	Date
Owner	I have examined the above request for payment and find that it is a fair and reasonable payment for work Successfully performed on my property.	
	<i>Tony Hunt</i>	<i>9/11/19</i>
	Owner: Kelsey Hunt	Date
ORDC Rehab Specialist	I have inspected the rehabilitation work at the above address and found the work to be satisfactory and in full compliance with the Contract and Final Specifications. I also certify that the Contractor has delivered all necessary documents and papers.	
	Therefore I authorize payment of \$ 9,250.00	
	<i>[Signature]</i>	<i>9-11-19</i>
	ORDC Rehabilitation Specialist	Date

Ohio Regional Development Corp.

120 1/2 S. 4th Street
Coshocton, Ohio 43812
740-622-0529 fax 740-622-8577

Purchase Order No.

28

Request to Issue Purchase Order

Business Name: Hinckley Roofing
Address: P.O. Box 458 Hinckley
City: <i>Hinckley</i> OH 44233
Federal ID #:
Contact Name: 330-273-2979

Client Name: Kelsey Hunt
Address: 1038 Millbury Dr.
City: Medina OH 44256
Telephone:

Date: 9/16/2019

Quantity	Cost	Description	Sub-total	TOTAL
1	\$9,250.00	Home Repair	\$9,250.00	\$9,250.00

TOTAL \$9,250.00

Received by: _____

Date: 9/17/2019

Presented by: *MK Baldwin*

Medina City

Mindy K. Baldwin Medina County CHIP Housing Specialist

Date: 9/17/2019

*OK
D. Hanwell
10/2/18*

REQUEST FOR COUNCIL ACTION

No. RCA 19-178-10/15

FROM: Mayor Dennis Hanwell
DATE: October 2, 2018
SUBJECT: Emergency Housing Fund

Committee: Finance

SUMMARY AND BACKGROUND:

Respectfully request Council to authorize \$5,000 to be paid to Medina Metropolitan Housing Authority for operation of the Emergency Housing Assistance Program (EHAP). We have supported this program consistently since 2006.

Please find attached statistics indicating the need for this program.

Estimated Cost: \$5,000

Suggested Funding:

- Sufficient funds in Account No.
- Transfer needed from Account No. _____ to Account No. _____

NEW APPROPRIATION needed in Account No. _____

Emergency Clause Requested: NO

Reason:

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord./Res.
Date:

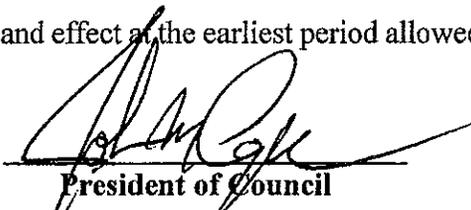
ORDINANCE NO. 43-18

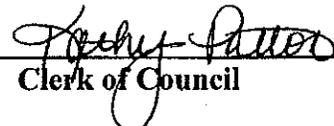
AN ORDINANCE AUTHORIZING THE EXPENDITURE OF \$5,000.00 TO THE MEDINA METROPOLITAN HOUSING AUTHORITY TO SUPPORT THE MEDINA COUNTY HOUSING NETWORK'S CONTINUUM OF CARE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

- SEC. 1:** That the expenditure of \$5,000.00 to the Medina Metropolitan Housing Authority is hereby authorized to support the Medina County Housing Network's Continuum of Care.
- SEC. 2:** That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director's certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.
- SEC. 3:** That the funds to cover this payment are available in Account No. 001-0707-52215.
- SEC. 4:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 5:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: March 12, 2018

SIGNED: 
President of Council

ATTEST: 
Clerk of Council

APPROVED: March 13, 2018

SIGNED: Do Hanwell
Mayor

**Medina Metropolitan Housing Authority
Emergency Housing Assistance Program
December Statistics - 2018**

	Case Management Referral Only		Short Term Assistance		Ongoing Assistance		Year-to-Date Totals
	Current	YTD	Current	YTD	Current	YTD	Totals
Household Composition Info:							
Total Number of Households	60	753	9	62	67	749	1564
Persons Age 0-17	37	586	5	55	19	277	918
Persons Age 18-61	63	862	13	84	68	828	1774
Persons Age 62+	11	83	0	1	3	31	115
Total Number of Persons	111	1531	18	140	90	1136	2807
Households Location:							
Medina County Unincorporated	15	158	1	9	7	100	267
Medina City	19	234	7	33	30	364	631
Brunswick City	5	123	0	2	14	166	291
Wadsworth City	6	67	1	15	9	94	176
Other	15	171	0	3	0	0	174
Total Number of Households	60	753	9	62	60	724	1539
Condition by Household:							
Street Homeless	10	135	1	17	13	133	285
Imminent Risk of Eviction	27	271	8	40	1	28	339
Presents w/ Mental Illness	48	449	4	34	54	458	941
Presents w/ Physical Disability	36	292	2	13	11	98	403
Presents w/ Alcohol & Drug Use	29	238	1	16	2	14	268
Reports Veteran Status	3	49	1	5	1	11	65
Emergency Shelter	2	12	4	16	57	517	545
Chronic Illness	38	226	1	6	6	67	299
Developmental Disability	5	66	1	7	6	72	145
History of Domestic Violence	32	289	8	37	20	202	528
Other	21	336	0	1	0	0	337

Financial Programs:

CHIP Medina/Brunswick	N/A	0	\$ -	\$ -	\$ -	\$ -	\$ -
Medina County TRA	N/A	0	-	-	27,217.00	309,056.07	309,056.07
Rapid Re-Housing	N/A	0	820.00	10,507.70	-	-	10,507.70
Homelessness Prevention	N/A	0	5,185.00	14,194.00	-	-	14,194.00
County Commissioner Funds	N/A	0	220.00	7,261.06	-	-	7,261.06

Total Amount of Assistance N/A 0 \$ 6,225.00 \$31,962.76 \$ 27,217.00 \$ 309,056.07 \$ 341,018.83

Amount of Financial Assistance by Household Location:

Medina County Unincorporated	N/A	0	\$ 3,650.00	\$ 8,039.71	\$ 4,606.00	\$ 60,461.73	\$ 68,501.44
Medina City	N/A	0	1,725.00	15,367.63	11,894.00	147,756.85	163,124.48
Brunswick City	N/A	0	-	720.00	7,194.00	63,169.27	63,889.27
Wadsworth City	N/A	0	850.00	7,855.00	3,523.00	36,588.22	44,443.22
Other	N/A	0	-	410.00	-	-	410.00

of Months Assistance Provided

Motel	N/A	0	2	32	0	0	32
Security Deposit	N/A	0	0	6	2	16	22
Rent	N/A	0	6	36	60	722	758
Utilities	N/A	0	0	0	11	132	132

Legend:

- * - Household Location is determined by the last known permanent address.
- * - The category "Other" is for households whose last known permanent address was outside the County limits but are seeking assistance somewhere within the County boundaries.
- * - Households may have more than one condition.

**Medina Metropolitan Housing Authority
Emergency Housing Assistance Program
July Statistics - 2019**

	Case Management Referral Only		Short Term Assistance		Ongoing Assistance		Year-to-Date Totals
	Current	YTD	Current	YTD	Current	YTD	Totals
Household Composition Info:							
Total Number of Households	51	374	12	58	70	470	902
Persons Age 0-17	45	310	7	38	15	127	475
Persons Age 18-61	50	401	12	56	72	493	950
Persons Age 62+	9	57	2	9	4	22	88
Total Number of Persons	104	768	21	103	91	642	1513
Households Location:							
Medina County Unincorporated	9	90	1	5	6	50	145
Medina City	15	118	8	32	32	228	378
Brunswick City	11	61	2	7	14	96	164
Wadsworth City	5	42	1	14	10	64	120
Other	11	63	0	0	0	3	66
Total Number of Households	51	374	12	58	62	441	873
Condition by Household:							
Street Homeless	10	59	4	16	13	92	167
Imminent Risk of Eviction	27	174	0	19	0	8	201
Presents w/ Mental Illness	34	289	4	34	54	382	705
Presents w/ Physical Disability	31	186	0	17	14	87	290
Presents w/ Alcohol & Drug Use	19	145	0	11	1	12	168
Reports Veteran Status	2	20	0	2	1	7	29
Emergency Shelter	1	17	9	28	61	424	469
Chronic Illness	32	213	2	21	8	44	278
Developmental Disability	7	64	1	9	5	33	106
History of Domestic Violence	33	242	9	46	22	130	418
Other	2	45	0	0	0	1	46

Financial Programs:

CHIP Medina/Brunswick	N/A	0	\$ -	\$ -	\$ -	\$ -	\$ -
Medina County TRA	N/A	0	-	-	26,242.00	184,952.43	184,952.43
Rapid Re-Housing	N/A	0	-	5,150.00	-	-	5,150.00
Homelessness Prevention	N/A	0	500.00	2,900.00	-	-	2,900.00
County Commissioner Funds	N/A	0	570.00	2,709.80	-	-	2,709.80

Total Amount of Assistance N/A 0 \$ 1,070.00 \$10,759.80 \$ 26,242.00 \$ 184,952.43 \$ 195,712.23

Amount of Financial Assistance by Household Location:

Medina County Unincorporated	N/A	0	\$ 500.00	\$ 500.00	\$ 3,591.00	\$ 29,219.00	\$ 29,719.00
Medina City	N/A	0	360.00	7,519.80	12,392.00	84,665.56	92,185.36
Brunswick City	N/A	0	-	-	5,832.00	43,075.07	43,075.07
Wadsworth City	N/A	0	210.00	2,740.00	4,427.00	27,992.80	30,732.80
Other	N/A	0	-	-	-	-	-

of Months Assistance Provided

Motel	N/A	0	3	11	0	0	11
Security Deposit	N/A	0	0	4	0	5	9
Rent	N/A	0	1	9	62	420	429
Utilities	N/A	0	0	0	9	71	71

Legend:

- * - Household Location is determined by the last known permanent address.
- * - The category "Other" is for households whose last known permanent address was outside the County limits but are seeking assistance somewhere within the County boundaries.
- * - Households may have more than one condition.

*OK Hanwell
10-2-19*

REQUEST FOR COUNCIL ACTION

No. RCA 19-179-10/15

FROM: Mayor Dennis Hanwell
Kimberly Marshall, Economic Development Director

Committee: Finance

DATE: October 2, 2019

SUBJECT: Amend Resolution No. 178-07, *passed Nov. 13, 2007.*

SUMMARY AND BACKGROUND:

Resolution No. 178-07 Section 4 states: That the Economic Development Director is hereby designated as the Housing Officer for Community Reinvestment Area 1.

We respectfully request council to designate the Community Development Director as the Alternate Housing Officer for Community Reinvestment Area 1.

Estimated Cost: **NONE**

Suggested Funding:

Sufficient funds in Account No.

- Transfer needed from Account No. _____ to Account No. _____

NEW APPROPRIATION needed in Account No. _____

Emergency Clause Requested: No

Reason:

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord./Res.

Date:

RESOLUTION NO. 178-07

A RESOLUTION AMENDING COMMUNITY REINVESTMENT AREA #1 TO INCLUDE COMMERCIAL, MULTI-USE AND INDUSTRIAL AREAS; ADDING A RESIDENTIAL EXEMPTION AREA FOCUSED ON PRE-1937 STRUCTURES IN THE GREATER DOWNTOWN AREA; EXTENDING THE MAXIMUM YEARS OF TAX EXEMPTION; AND DESIGNATING A HOUSING OFFICER.

WHEREAS: Resolution No. 96-86, adopted November 10, 1986, established the criteria and boundaries for Community Reinvestment Areas #1 and #2 and designated a Housing Officer to administer the program; and

WHEREAS: Resolution No. 125-87, adopted December 14, 1987, combined and re-established the boundaries of the Community Reinvestment Areas #1 and #2 into one community reinvestment area know as Community Reinvestment Area #1 and included all presently zoned industrial property in the City; and

WHEREAS: Resolution No. 50-94, adopted February 28, 1994, amended the tax exemptions for improvements to real property in Community Reinvestment Area #1; and

WHEREAS: It has been requested to amend Community Reinvestment Area #1 to include all Commercial Zoned areas (C-1, C-2, C-3 and C-4), Multi-Use Zoned areas (M-U), and Industrial Zoned areas (I-1); to extend the maximum years of tax exemption for commercial and industrial properties; and to add a residential exemption area focused on pre-1937 structures in the greater downtown area.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That Community Reinvestment Area #1 is hereby amended to include all Commercial Zoned areas (C-1, C-2, C-3 and C-4), Multi-Use Zoned areas (M-U), and Industrial Zoned areas (I-1). A map of the amended Area is marked Exhibit A, attached hereto and incorporated herein.

SEC. 2: That Community Reinvestment Area #1 is further amended by the addition of a residential exemption area focused on pre-1937 structures in the greater downtown area. This area was found to contain housing facilities or structures of historical significance and wherein new housing construction and repair of existing facilities or structures are discouraged. The boundaries of this residential area are delineated on Exhibits B and C, attached hereto and incorporated herein, and further described as follows:

North and south of W. Homestead going east from the intersection of North Huntington and West Homestead to south on Harmony to include all parcels on the west and east of Harmony to East North Street, east on East North Street to Spring Grove Street, south on Spring Grove Street to East Smith Road, east on East Smith

Road ending at 692 East Smith Road on the south side and 693 East Smith Road on the north side. (Parcel Number 028-19B-21-208, which abuts East Smith Road will be qualified for abatement to the depth of 146' from East Smith Road.) West on East Smith Road to South Broadway, south on South Broadway to Wadsworth Road, southeast on Wadsworth Road to Simon Lane, northwest on Wadsworth Road to Grant Street, west on Grant Street to South Broadway, south on South Broadway to South Street, west on South Street to Wooster Pike, south on Wooster Pike to Koons Avenue, west on Koons Avenue to Wren Way, west on Wren Way to Cardinal Drive, west on Cardinal Drive to Lawrence Street, north on Lawrence Street to West Park Blvd., west on West Park Blvd. to Oak Street, south on Oak Street to 1029 Oak Street, including all parcels on Cedar Street, Spruce Street, Maple Street and Pine Street, north on Oak Street from West Park Blvd to Lafayette Road, northeast on Lafayette Road to Baxter Street, north on Baxter Street to West Smith Road, from West Smith Road going north on South Medina Street to West Liberty Street, from West Liberty Street going north on North Medina Street to Bronson Street, east on Bronson Street to Foundry Street, north on Foundry street to 368 Foundry Street, east on Bronson Street to North Huntington Street, north on North Huntington Street to West Homestead.

SEC. 3: That the tax exemptions for the improved real property tax value for commercial and industrial properties in Community Reinvestment Area #1 are hereby amended as follows:

Division D-1: (ORC 3735.67)

9 years for the remodeling of any residential structure containing not more than two units upon which the cost of remodeling is at least \$7,500.00 as set forth in the Tax Exemption Schedule that follows.

Division D-2: (ORC 3735.67)

9 years for the remodeling of any residential structure containing more than two units upon which the cost of remodeling is at least \$25,000.00 as set forth in the Tax Exemption Schedule that follows.

Division D-3: (ORC 3735.67)

9 years for the construction of any residential structure as set forth in the Tax Exemption Schedule which follows.

Division D-4: (ORC 3735.67)

12 years for the remodeling of any commercial or industrial property upon which the cost of remodeling is at least \$25,000.00 as set forth in the Tax Exemption Schedule which follows.

Division D-5: (ORC 3735.67)

15 years for the construction of any industrial or commercial structure as set forth in the Tax Exemption Schedule which follows.

Tax Exemption Schedule

<u>Exemption Year</u>	<u>D-1</u>	<u>D-2</u>	<u>D-3</u>	<u>D-4</u>	<u>D-5</u>
1	100%	100%	100%	100%	100%
2	100%	100%	100%	100%	100%
3	100%	100%	100%	100%	100%
4	100%	100%	100%	100%	100%
5	100%	100%	100%	100%	100%
6	80%	80%	80%	100%	100%

OK
D. J. Tammy
10-2-19

REQUEST FOR COUNCIL ACTION

No. RCA 19-180-10/15

FROM: Kimberly Marshall

Committee Finance

DATE: October 2, 2019

SUBJECT: Termination of Grant Agreement

SUMMARY AND BACKGROUND:

This request is to terminate the Job Creation Grant Agreement and Amendment to Job Creation Grant Agreement with Medina Plating and Powder for failure to fulfill the conditions of the grant.

Reference Ordinance 193-14 passed November 24th, 2014 and Ordinance 129-16 passed September 27, 2016

Suggested Funding:

- Sufficient funds in Account No. ~~Name~~ N/A
- Transfer needed from Account No. _____ to Account No. _____
- NEW APPROPRIATION needed in Account No. _____

Emergency Clause Requested: NO
Reason:

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord./Res.
Date:

fully executed

ORDINANCE NO. 193-14

AN ORDINANCE AUTHORIZING THE JOB CREATION GRANT AGREEMENT FOR MEDINA PLATING & POWDER.

WHEREAS: Ordinance No. 154-07, passed September 24, 2007, adopted a Job Creation Grant Program for the City of Medina, Ohio to provide incentives to businesses to retain, create and expand employment opportunities within the City of Medina without utilizing tax revenues or impacting negatively upon the local school system; and

WHEREAS: As part of said Job Creation Grant Program, a Business Development Committee was established to review applications and annually review each approved grant for adherence to their grant agreement; and

WHEREAS: The Business Development Committee recommended the attached grant agreement for Medina Plating & Powder.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That the Job Creation Grant Agreement #JCG10 for Medina Plating & Powder is hereby authorized.

SEC. 2: That the Mayor is hereby authorized to execute all documentation associated with the Grant.

SEC. 3: That a copy of the Job Creation Grant Agreement is marked Exhibit A, attached hereto and incorporated herein.

SEC. 4: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 5: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: November 24, 2014

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: November 25, 2014

SIGNED: Dennis Hanwell
Mayor

ORD 193-14 Exh. A

PLEASE REVIEW THE EMPLOYMENT AND PAYROLL NUMBERS FOR CONSISTENCY WITH YOUR APPLICATION FORM. THESE NUMBERS WILL BECOME YOUR COMPANY'S COMMITMENT TO THE CITY OF MEDINA.

EXHIBIT A

GRANT# JCG10-MedinaPlating14
(Administrative Only)

JOB CREATION GRANT AGREEMENT

This Agreement made and entered into by and between the CITY OF MEDINA, OHIO, a municipal corporation, with its main offices located at 132 North Elmwood Avenue, Medina, Ohio 44256 (hereinafter referred to as "Medina") and Medina Plating & Powder with its main offices located at 940 Lafayette Road, Medina, Ohio 44256 (hereinafter referred to as "Company"), and is dated as of October 31, 2014.

WITNESSETH:

WHEREAS, Medina has encouraged the creation and retention of new job opportunities throughout the City of Medina; and

WHEREAS, Medina Plating & Powder is desirous of expanding 910 Lake Road, Medina, Ohio 44256 in the city by constructing a powder coating line and installing a zinc nickel plating line to create 20 new full time employment opportunities (hereinafter sometimes referred to as the "PROJECT") within the boundaries of the City of Medina, provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and

WHEREAS, the Council of the City of Medina, Ohio by Ordinance No. 154-07 adopted September 25, 2007 created the Job Creation Grant Program pursuant to Article XVIII, Section 3 and Article VIII, Section 13 of the Ohio Constitution; and

WHEREAS, the City of Medina, having the appropriate authority for the stated type of program, is desirous of providing Medina Plating & Powder with incentives available for the development of the PROJECT; and

WHEREAS, Medina Plating & Powder has submitted a proposed Agreement application (herein attached as Exhibit A1) to the City of Medina (said application hereinafter referred to as "Application"); and

WHEREAS, Medina Plating & Powder has remitted the required application fee of \$ 500.00 made payable to the City of Medina; and

WHEREAS, the Business Development Committee of the City of Medina has investigated the application of Medina Plating & Powder and has recommended the same to Medina City Council on the basis that Medina Plating & Powder is qualified by financial responsibility and business experience to create employment opportunities in the City of Medina and improve the economic climate of Medina; and

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. Description of the Project.

- A. Medina Plating & Powder shall install a zinc nickel plating line and will construct a powder coating line at the facility located at 910 Lake Road, Medina, Ohio in order to create 20 new full time positions.

2. Project Investment.

- A. The PROJECT will involve a total investment, plus or minus 10%, by the Property Owner of \$7,920,000(dollars) the PROJECT.
- B. The PROJECT will involve a total investment, plus or minus 10%, by Medina Plating & Powder as follows:

1. Acquisition of Buildings	\$700,000
2. Additions/New Construction	\$200,000
3. Improvements to existing buildings	\$200,000
4. Machinery & Equipment	\$6,800,000
5. Furniture & Fixtures	\$20,000
TOTAL	\$7,920,000

- C. The Project will begin approximately October of 2014 and will be completed approximately March 30, 2015.
3. Job Creation and Retention.

- A. Medina Plating & Powder shall create in the City of Medina within a time period not exceeding a 3 year period after the completion of the aforesaid project, the equivalent of 20 new full-time permanent job opportunities in the City of Medina.

- 1) Medina Plating & Powder schedule for hiring permanent full time employees is as follows:

<u>Year</u>	<u>Number of Jobs New to Medina</u>
2014	3
2015	12
2016	5

- B. The job creation period begins approximately October 1, 2014 and all jobs will be in place by December 31, 2016.
- C. The Company currently has 52 employees at the project site. The Company currently has 52 employees in the City of Medina. In total, the Company has 52 full-time permanent employees in the State of Ohio.
- D. The increase in the number of employees new to the City of Medina will result in approximately \$750,000 of additional annual payroll in the City of Medina when the projected maximum employment level is achieved.
- E. The retention of the existing jobs in Medina will maintain the current gross annual payroll in Medina of \$1,350,000.

4. Issuance of Grant.

- A. The City of Medina hereby grants a Job Creation Grant based upon the creation of new payroll and jobs in the City of Medina, and the implementation of the PROJECT, according to the schedules contained herein in Section 4(C).

<u>Years</u>	<u>Amount of Grant as a Percentage of Payroll Taxes New to Medina</u>
6	40%

Funding for the grant issued herein shall only be from the following non-tax revenue sources: interest income, permit fees, activity fees, service charges, and tax incentive application and monitoring fees.

- B. For purposes of calculating the amount of the grant, the new payroll upon which the grant is based may not exceed 25% above the maximum payroll projected in Section 3(D) above. The grant amount shall be based on the current 1.25% income tax rate. The maximum grant amount in any year shall be \$4,687.50. (maximum NEW PAYROLL projection x 125% X 1.25% x 40% of grant)
- C. To receive a grant in any given year, Medina Plating & Powder must retain full time permanent jobs existing in Medina prior to the Agreement.

- (1) If Medina Plating & Powder does not achieve at least 90% of new payroll projections, Medina Plating & Powder shall receive reduced incentives according to the schedule below:

<u>% of New Payroll Projection Achieved</u>	<u>Amount of Grant as a Percentage of Payroll Taxes New to Medina</u>
90-100%	full grant
85-89%	reduce grant by 5% (Ex.: 40% grant reduced to 35%)
80-84%	reduce grant by 10% (Ex.: 40% grant reduced to 30%)
75-79%	reduce grant by 15%
Less than 75%	no grant for that year; and

- (2) If Medina Plating & Powder fails to meet 75% of new payroll or new employment projections in any given year, the grant shall not be awarded for that year.
- (3) If Medina Plating & Powder has multiple locations in the City of Medina and new employment and new payroll projections are met at any combination of locations in the City of Medina, Medina Plating & Powder will receive its annual grant payment.
- (4) New payroll is defined as that amount in excess of the amount in Section 3(E) above.

5. Grant Payments.

A. Initial Grant Payment.

- (1) Year 1 projections must be met by December 31, 2014. The initial grant payment shall be made by approximately June 30th, 2015 (following year), provided that Medina Plating & Powder files its Reconciliation of City Income Tax Withheld Form S-W3 by February 28, 2015, and reconciliation is confirmed by the City of Medina Finance Department.
- (2) If the project start or occupancy of the project facility is delayed, Year 1 may be extended to the following year and the Year 1 projections deadline adjusted accordingly, upon written request by Medina Plating & Powder to the Economic Development Director, provided that the extension is approved by the Economic Development Director with notice to the Business Development Committee.
- (3) If the project or occupancy of a project facility begins in the third or fourth quarter of the year and Medina Plating & Powder is not able to

meet its Year 1 projections by December 31st of that year, Year 1 will be considered the first full year of occupancy, and the first grant payment will occur in the year following the first full year of the project or occupancy of the project facility.

- B. Timing of Annual Grant Payments. Annual grant payments shall be made by June 30th of the following year, provided that Medina Plating & Powder files its Reconciliation of City Income Tax Withheld Form S-W3 by February 28th and reconciliation is confirmed by the City of Medina Finance Department. If Medina Plating & Powder requests an extension for filing of its S-W3 form, the City of Medina shall make the grant payment within three months of the extended filing date. It is the responsibility of Medina Plating & Powder to advise the Economic Development Director of the filing extension.
 - C. Use of Grant Payments. Grants shall be allocated by Medina Plating & Powder for land acquisition, building acquisition, purchase of machinery/equipment, purchase of furniture/fixtures, and/or other non-construction related and non-installation related costs of the project.
6. Payment of Taxes and Filing Reports and Returns. Medina Plating & Powder shall pay all taxes and shall file all tax reports and returns as required by law. If Medina Plating & Powder fails to pay such taxes or file such returns and reports, all incentives granted under this Agreement are terminated beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter.
7. Information for Annual Review. Medina Plating & Powder shall timely provide to the City of Medina any information reasonably required by the City of Medina to evaluate Medina Plating & Powder compliance with the Agreement.
8. Maintenance of Grant.
- A. Medina shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain incentives granted under this Agreement including, without limitation, joining in the execution of all documentation and providing necessary information to maintain the incentives granted hereunder.
 - B. If for any reason the Job Creation Grant Program is discontinued, entitlements granted under this Agreement shall continue for the number of years specified under this Agreement, unless Medina Plating & Powder materially fails to fulfill its obligations under this Agreement and Medina terminates or modifies the incentives granted under this Agreement.
9. Certification as to Payment of Taxes. Medina Plating & Powder certifies that at the time this Agreement is executed, Medina Plating & Powder does not owe any delinquent real or tangible personal property taxes to any taxing authority of the

State of Ohio, and does not owe delinquent taxes for which Medina Plating & Powder is liable under Chapter 5733, 5735, 5739, 5741, 5743, 5747, or 5753 of the Ohio Revised Code, or, if such delinquent taxes are owed Medina Plating & Powder currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against Medina Plating & Powder. For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes.

10. Non-Discrimination Hiring. Medina has developed a policy to ensure recipients of Job Creation Grants practice non-discriminatory hiring in its operations. By executing this Agreement, Medina Plating & Powder is committing to following non-discriminatory hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.
11. Transfer and Assignment. This Agreement is not transferable or assignable without the express, written approval of Medina. The City of Medina acknowledges that it would be unreasonable to withhold such consent in the event of a proposed transfer or assignment to any parent, subsidiary or affiliate of Medina Plating & Powder or to any third party so long as with respect to all or any of such proposed transfers or assignments, the proposed transferee or assignee adequately and sufficiently demonstrates to the City of Medina, to the City of Medina's reasonable satisfaction, its financial ability, business experience and intentions to continue its operations of the Facility and Project in a manner similar to that of Medina Plating & Powder in all pertinent respects.
12. Termination or Modification of Incentives.
 - A. If Medina Plating & Powder fails to meet 75% of new payroll or new employment projections in any given year, the grant shall not be awarded for that year.
 - B. If Medina Plating & Powder fails to meet 75% of new payroll or new employment projections for three consecutive years, this Agreement shall be terminated by the City of Medina.
 - C. If the project does not proceed as specified in Section 5(A){1} of the Agreement or within the approved one year extension period, the City of Medina may terminate the Agreement upon recommendation of the Business Development Committee.
 - D. If Medina Plating & Powder fails to submit required information and/or reports as set forth in Section 7 above, the City of Medina may terminate or modify this Agreement and deny or modify future grants heretofore granted from the date of Medina Plating & Powder's breach or default.

In the case as provided in this Subsection D, the City of Medina's termination or modification of this Agreement may be instituted only if Medina Plating & Powder fails to cure any breach of any term of this Agreement as determined by the City of Medina within ten (10) days of receiving written notice of such failure from the City of Medina or, if cure of the breach cannot be completed within ten (10) days, if Medina Plating & Powder has not made a good faith start of the cure, and/or not diligently pursued same.

E. Nothing contained in Sections 12(A), 12(B), 12(C), or 12(D) shall permit the City of Medina to recapture or otherwise deny Medina Plating & Powder the benefit of a grant in respect of any period prior to the date of such termination or modification by the City of Medina.

F. The City of Medina may terminate or modify this Agreement and may also require the repayment of the full amount of grant payments awarded under this Agreement, upon the occurrence of any of the following:

- 1) the City of Medina determines that the certification as to delinquent taxes required by this Agreement is fraudulent, or
- 2) Medina Plating & Powder vacates the Facility and/or moves the Project out of the City of Medina or terminates its operations at the Facility altogether during a 6 (numeral) year period beginning on the effective date of this Agreement.

The City of Medina may, absent any legislative action, resolution or court ordered mandate to the contrary, collect any and all grant payments awarded under this Agreement, and Medina Plating & Powder shall pay directly to the City of Medina or its authorized agent any and all grant payments awarded under this Agreement due on the date Medina Plating & Powder moves the Project out of the City of Medina or terminates its operations at the Facility altogether during the 6 year period beginning on the effective date of this Agreement; or within ten (10) days from the date Medina Plating & Powder is notified by the City of Medina that any tax certification is fraudulent.

G. Medina Plating & Powder or successor entity shall promptly notify the City of Medina if any of the following events occur:

- (i) If control of Medina Plating & Powder or substantially all of its assets located at the Project site is obtained by another entity or shareholders or
- (ii) If Medina Plating & Powder merges with another entity or
- (iii) If Medina Plating & Powder substantially restructures itself through an acquisition or divestiture or otherwise

and if any of these events affects the ability of Medina Plating & Powder or its successor entity to perform substantially the obligations of Medina Plating & Powder under this Agreement and to meet the employment and payroll projections anticipated herein. "Control of Medina Plating & Powder" for the purposes of this subsection means that persons and/or entities owning the majority of Company's outstanding voting stock at the date of this Agreement cease to own such or cease to have the unconditional right to elect a majority of Medina Plating & Powder's board of directors.

H. Each provision for modification or termination hereunder shall not affect Medina Plating & Powder's obligations or the City of Medina's rights under any other provision of this Agreement.

13. Fees. Medina Plating & Powder shall pay an annual fee of \$ 500 (five hundred dollars) in each year that Medina Plating & Powder receives a grant payment upon notification that such payment is due. The proceeds will be used to defray costs of program administration and to help fund the program.
14. Any notices, statements, acknowledgements, consent approvals, certificates, or requests required to be given on behalf of either party shall be made in writing addressed as follows:

If to the City to:

Dennis Hanwell, Mayor
Medina City Hall
132 N. Elmwood Avenue
Medina, Ohio 44256

With a copy to:

Director of Law-- City of Medina
Gregory Huber
Medina City Hall
132 N. Elmwood Avenue
Medina, Ohio 44256

If to Medina Plating & Powder to:

Shawn Ritchie, President
Medina Plating & Powder
940 Lafayette Road
Medina, Ohio 44256

or such other address as may be noticed.

15. Condition Precedent. Medina Plating & Powder and Medina acknowledge that this Agreement must be approved by formal action of the legislative authority of the City of Medina as a condition for the Agreement to take effect.

IN WITNESS WHEREOF, the City of Medina, Ohio, by Dennis Hanwell, its Mayor, and pursuant to Ordinance No. 154-07 and Medina Plating & Powder, by Shawn Ritchie, its President, have caused this instrument to be executed on the 25th day of November, 2014.

WITNESSED BY:

Ruthy Patton, clerk
Dan Brocco

WITNESSED BY:

Lisa Beck

CITY OF MEDINA

By: Dennis Hanwell
Dennis Hanwell
Title: Mayor

Medina Plating & Powder

By: [Signature]
Title: PRESIDENT

The legal form and correctness of the within instrument is hereby approved.

DIRECTOR OF LAW - CITY OF MEDINA

By: [Signature]
Date: 11/25/14

ORDINANCE NO. 129-16

AN ORDINANCE AMENDING ORDINANCE NO. 193-14,
PASSED NOVEMBER 24, 2014, RELATIVE TO THE JOB
CREATION GRANT AGREEMENT WITH MEDINA
PLATING AND POWDER.

WHEREAS: Ordinance No. 193-14, passed November 24, 2014, authorized the Mayor to enter into a Job Creation Grant Agreement with Medina Plating and Powder for an expansion project at 940 Lafayette Road and the creation of 20 full-time jobs; and

WHEREAS: That during our Job Creation Grant Monitoring, administrative staff discovered that the term of the grant was mistakenly set at 6 years when it should have been 5 years.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY
OF MEDINA, OHIO:

SEC. 1: That the Job Creation Grant Agreement #JCG-10, authorized in Ordinance No. 193-14, passed November 24, 2014, is hereby amended to reflect the term of the grant to be 5 years.

SEC. 2: That a copy of the amended agreement is marked Exhibit A, attached hereto and incorporated herein.

SEC. 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 4: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: September 26, 2016

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: September 27, 2016

SIGNED: Dennis Hanwell
Mayor

ORD 129-16 EKH.A

PLEASE REVIEW THE EMPLOYMENT AND PAYROLL NUMBERS FOR CONSISTENCY WITH YOUR APPLICATION FORM. THESE NUMBERS WILL BECOME YOUR COMPANY'S COMMITMENT TO THE CITY OF MEDINA.

EXHIBIT A

GRANT# JCG10-MedinaPlating14
(Administrative Only)

JOB CREATION GRANT AGREEMENT-AMENDMENT

WHEREAS This Agreement was made and entered into by and between the CITY OF MEDINA, OHIO, a municipal corporation, with its main offices located at 132 North Elmwood Avenue, Medina, Ohio 44256 (hereinafter referred to as "Medina") and Medina Plating & Powder with its main offices located at 940 Lafayette Road, Medina, Ohio 44256 (hereinafter referred to as "Company"), and is dated as of October 31, 2014; and

WHEREAS the original grant agreement had incorrectly stated the grant period as "6" years; and

WHEREAS the City of Medina Job Creation Grant Guidelines clearly state the length of the allowable grant period for the below stated project is "5" years, the grant is hereby amended to reflect the correct grant period of 5 years as below:

WITNESSETH:

WHEREAS, Medina has encouraged the creation and retention of new job opportunities throughout the City of Medina; and

WHEREAS, Medina Plating & Powder is desirous of expanding 910 Lake Road, Medina, Ohio 44256 in the city by constructing a powder coating line and installing a zinc nickel plating line to create 20 new full time employment opportunities (hereinafter sometimes referred to as the "PROJECT") within the boundaries of the City of Medina, provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and

WHEREAS, the Council of the City of Medina, Ohio by Ordinance No. 154-07 adopted September 25, 2007 created the Job Creation Grant Program pursuant to Article XVIII, Section 3 and Article VIII, Section 13 of the Ohio Constitution; and

WHEREAS, the City of Medina, having the appropriate authority for the stated type of program, is desirous of providing Medina Plating & Powder with incentives available for the development of the PROJECT; and

WHEREAS, Medina Plating & Powder has submitted a proposed Agreement application (herein attached as Exhibit A1) to the City of Medina (said application hereinafter referred to as "Application"); and

WHEREAS, Medina Plating & Powder has remitted the required application fee of \$ 500.00 made payable to the City of Medina; and

WHEREAS, the Business Development Committee of the City of Medina has investigated the application of Medina Plating & Powder and has recommended the same to Medina City Council on the basis that Medina Plating & Powder is qualified by financial responsibility and business experience to create employment opportunities in the City of Medina and improve the economic climate of Medina; and

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. Description of the Project.

- A. Medina Plating & Powder shall install a zinc nickel plating line and will construct a powder coating line at the facility located at 910 Lake Road, Medina, Ohio in order to create 20 new full time positions.

2. Project Investment.

- A. The PROJECT will involve a total investment, plus or minus 10%, by the Property Owner of \$7,920,000(dollars) the PROJECT.
- B. The PROJECT will involve a total investment, plus or minus 10%, by Medina Plating & Powder as follows:

1. Acquisition of Buildings	\$700,000
2. Additions/New Construction	\$200,000
3. Improvements to existing buildings	\$200,000
4. Machinery & Equipment	\$6,800,000
5. Furniture & Fixtures	\$20,000
TOTAL	\$7,920,000

- C. The Project will begin approximately October of 2014 and will be completed approximately March 30, 2015.

3. Job Creation and Retention.

- A. Medina Plating & Powder shall create in the City of Medina within a time period not exceeding a 3 year period after the completion of the aforesaid project, the equivalent of 20 new full-time permanent job opportunities in the City of Medina.
- 1) Medina Plating & Powder schedule for hiring permanent full time employees is as follows:

<u>Year</u>	<u>Number of Jobs New to Medina</u>
2014	3
2015	12
2016	5

- B. The job creation period begins approximately October 1, 2014 and all jobs will be in place by December 31, 2016.
- C. The Company currently has 52 employees at the project site. The Company currently has 52 employees in the City of Medina. In total, the Company has 52 full-time permanent employees in the State of Ohio.
- D. The increase in the number of employees new to the City of Medina will result in approximately \$750,000 of additional annual payroll in the City if Medina when the projected maximum employment level is achieved.
- E. The retention of the existing jobs in Medina will maintain the current gross annual payroll in Medina of \$1,350,000.

4. Issuance of Grant.

- A. The City of Medina hereby grants a Job Creation Grant based upon the creation of new payroll and jobs in the City of Medina, and the implementation of the PROJECT, according to the schedules contained herein in Section 4(C).

<u>Years</u>	<u>Amount of Grant as a Percentage of Payroll Taxes New to Medina</u>
5	40%

Funding for the grant issued herein shall only be from the following non-tax revenue sources: interest income, permit fees, activity fees, service charges, and tax incentive application and monitoring fees.

- B. For purposes of calculating the amount of the grant, the new payroll upon which the grant is based may not exceed 25% above the maximum payroll projected in Section 3(D) above. The grant amount shall be based on the current 1.25% income tax rate. The maximum grant amount in any year shall be \$4,687.50. (maximum NEW PAYROLL projection x 125% X 1.25% x 40% of grant)

- C. To receive a grant in any given year, Medina Plating & Powder must retain full time permanent jobs existing in Medina prior to the Agreement.

- (1) If Medina Plating & Powder does not achieve at least 90% of new payroll projections, Medina Plating & Powder shall receive reduced incentives according to the schedule below:

<u>% of New Payroll Projection Achieved</u>	<u>Amount of Grant as a Percentage of Payroll Taxes New to Medina</u>
90-100%	full grant
85-89%	reduce grant by 5% (Ex.: 40% grant reduced to 35%)
80-84%	reduce grant by 10% (Ex.: 40% grant reduced to 30%)
75-79%	reduce grant by 15%
Less than 75%	no grant for that year; and

- (2) If Medina Plating & Powder fails to meet 75% of new payroll or new employment projections in any given year, the grant shall not be awarded for that year.
- (3) If Medina Plating & Powder has multiple locations in the City of Medina and new employment and new payroll projections are met at any combination of locations in the City of Medina, Medina Plating & Powder will receive its annual grant payment.
- (4) New payroll is defined as that amount in excess of the amount in Section 3(E) above.

5. Grant Payments.

A. Initial Grant Payment.

- (1) Year 1 projections must be met by December 31, 2014. The initial grant payment shall be made by approximately June 30th, 2015 (following year), provided that Medina Plating & Powder files its Reconciliation of City Income Tax Withheld Form S-W3 by February 28, 2015, and reconciliation is confirmed by the City of Medina Finance Department.

(2) If the project start or occupancy of the project facility is delayed, Year 1 may be extended to the following year and the Year 1 projections deadline adjusted accordingly, upon written request by Medina Plating & Powder to the Economic Development Director, provided that the extension is approved by the Economic Development Director with notice to the Business Development Committee,

(3) If the project or occupancy of a project facility begins in the third or fourth quarter of the year and Medina Plating & Powder is not able to meet its Year 1 projections by December 31st of that year, Year 1 will be considered the first full year of occupancy, and the first grant payment will occur in the year following the first full year of the project or occupancy of the project facility.

B. Timing of Annual Grant Payments. Annual grant payments shall be made by June 30th of the following year, provided that Medina Plating & Powder files its Reconciliation of City Income Tax Withheld Form S-W3 by February 28th and reconciliation is confirmed by the City of Medina Finance Department. If Medina Plating & Powder requests an extension for filing of its S-W3 form, the City of Medina shall make the grant payment within three months of the extended filing date. It is the responsibility of Medina Plating & Powder to advise the Economic Development Director of the filing extension.

C. Use of Grant Payments. Grants shall be allocated by Medina Plating & Powder for land acquisition, building acquisition, purchase of machinery/equipment, purchase of furniture/fixtures, and/or other non-construction related and non-installation related costs of the project.

6. Payment of Taxes and Filing Reports and Returns. Medina Plating & Powder shall pay all taxes and shall file all tax reports and returns as required by law. If Medina Plating & Powder fails to pay such taxes or file such returns and reports, all incentives granted under this Agreement are terminated beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter.

7. Information for Annual Review. Medina Plating & Powder shall timely provide to the City of Medina any information reasonably required by the City of Medina to evaluate Medina Plating & Powder compliance with the Agreement.

8. Maintenance of Grant.

A. Medina shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain incentives granted under this Agreement including, without limitation, joining in the execution of all documentation and providing necessary information to maintain the incentives granted hereunder.

- B. If for any reason the Job Creation Grant Program is discontinued, entitlements granted under this Agreement shall continue for the number of years specified under this Agreement, unless Medina Plating & Powder materially fails to fulfill its obligations under this Agreement and Medina terminates or modifies the incentives granted under this Agreement.
9. Certification as to Payment of Taxes. Medina Plating & Powder certifies that at the time this Agreement is executed, Medina Plating & Powder does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which Medina Plating & Powder is liable under Chapter 5733, 5735, 5739, 5741, 5743, 5747, or 5753 of the Ohio Revised Code, or, if such delinquent taxes are owed Medina Plating & Powder currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against Medina Plating & Powder. For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes.
10. Non-Discrimination Hiring. Medina has developed a policy to ensure recipients of Job Creation Grants practice non-discriminatory hiring in its operations. By executing this Agreement, Medina Plating & Powder is committing to following non-discriminatory hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.
11. Transfer and Assignment. This Agreement is not transferable or assignable without the express, written approval of Medina. The City of Medina acknowledges that it would be unreasonable to withhold such consent in the event of a proposed transfer or assignment to any parent, subsidiary or affiliate of Medina Plating & Powder or to any third party so long as with respect to all or any of such proposed transfers or assignments, the proposed transferee or assignee adequately and sufficiently demonstrates to the City of Medina, to the City of Medina's reasonable satisfaction, its financial ability, business experience and intentions to continue its operations of the Facility and Project in a manner similar to that of Medina Plating & Powder in all pertinent respects.
12. Termination or Modification of Incentives.
- A. If Medina Plating & Powder fails to meet 75% of new payroll or new employment projections in any given year, the grant shall not be awarded for that year.
- B. If Medina Plating & Powder fails to meet 75% of new payroll or new employment projections for three consecutive years, this Agreement shall be terminated by the City of Medina.

- C. If the project does not proceed as specified in Section 5(A)(1) of the Agreement or within the approved one year extension period, the City of Medina may terminate the Agreement upon recommendation of the Business Development Committee.
- D. If Medina Plating & Powder fails to submit required information and/or reports as set forth in Section 7 above, the City of Medina may terminate or modify this Agreement and deny or modify future grants heretofore granted from the date of Medina Plating & Powder's breach or default.

In the case as provided in this Subsection D, the City of Medina's termination or modification of this Agreement may be instituted only if Medina Plating & Powder fails to cure any breach of any term of this Agreement as determined by the City of Medina within ten (10) days of receiving written notice of such failure from the City of Medina or, if cure of the breach cannot be completed within ten (10) days, if Medina Plating & Powder has not made a good faith start of the cure, and/or not diligently pursued same.

- E. Nothing contained in Sections 12(A), 12(B), 12(C), or 12(D) shall permit the City of Medina to recapture or otherwise deny Medina Plating & Powder the benefit of a grant in respect of any period prior to the date of such termination or modification by the City of Medina.
- F. The City of Medina may terminate or modify this Agreement and may also require the repayment of the full amount of grant payments awarded under this Agreement, upon the occurrence of any of the following:
- 1) the City of Medina determines that the certification as to delinquent taxes required by this Agreement is fraudulent, or
 - 2) Medina Plating & Powder vacates the Facility and/or moves the Project out of the City of Medina or terminates its operations at the Facility altogether during a 8 (numeral) year period beginning on the effective date of this Agreement.

The City of Medina may, absent any legislative action, resolution or court ordered mandate to the contrary, collect any and all grant payments awarded under this Agreement, and Medina Plating & Powder shall pay directly to the City of Medina or its authorized agent any and all grant payments awarded under this Agreement due on the date Medina Plating & Powder moves the Project out of the City of Medina or terminates its operations at the Facility altogether during the 8 year period beginning on the effective date of this Agreement; or within ten (10) days from the date Medina Plating & Powder is notified by the City of Medina that any tax certification is fraudulent.

- G. Medina Plating & Powder or successor entity shall promptly notify the City of Medina if any of the following events occur:

- (i) If control of Medina Plating & Powder or substantially all of its assets located at the Project site is obtained by another entity or shareholders or
- (ii) If Medina Plating & Powder merges with another entity or
- (iii) If Medina Plating & Powder substantially restructures itself through an acquisition or divestiture or otherwise

and if any of these events affects the ability of Medina Plating & Powder or its successor entity to perform substantially the obligations of Medina Plating & Powder under this Agreement and to meet the employment and payroll projections anticipated herein. "Control of Medina Plating & Powder" for the purposes of this subsection means that persons and/or entities owning the majority of Company's outstanding voting stock at the date of this Agreement cease to own such or cease to have the unconditional right to elect a majority of Medina Plating & Powder's board of directors.

H. Each provision for modification or termination hereunder shall not affect Medina Plating & Powder's obligations or the City of Medina's rights under any other provision of this Agreement.

- 13. Fees. Medina Plating & Powder shall pay an annual fee of \$ 500 (five hundred dollars) in each year that Medina Plating & Powder receives a grant payment upon notification that such payment is due. The proceeds will be used to defray costs of program administration and to help fund the program.
- 14. Any notices, statements, acknowledgements, consent approvals, certificates, or requests required to be given on behalf of either party shall be made in writing addressed as follows:

If to the City to: Dennis Hanwell, Mayor
Medina City Hall
132 N. Elmwood Avenue
Medina, Ohio 44256

With a copy to: Director of Law-- City of Medina
Gregory Huber
Medina City Hall
132 N. Elmwood Avenue
Medina, Ohio 44256

If to Medina Plating & Powder to:

Shawn Ritchie, President
Medina Plating & Powder
940 Lafayette Road
Medina, Ohio 44256

or such other address as may be noticed.

15. Condition Precedent. Medina Plating & Powder and Medina acknowledge that this Agreement must be approved by formal action of the legislative authority of the City of Medina as a condition for the Agreement to take effect.

IN WITNESS WHEREOF, the City of Medina, Ohio, by Dennis Hanwell, its Mayor, and pursuant to Ordinance No. 154-07 and Medina Plating & Powder, by Shawn Ritchie, its President, have caused this instrument to be executed on the 27th day of September, 2016.

WITNESSED BY:

Kathy Patton

CITY OF MEDINA

By: Dennis Hanwell
Dennis Hanwell
Title: Mayor 9-27-16

WITNESSED BY:

Kimberly Marshall
Kimberly Marshall

Medina Plating & Powder

By: SHAWN RITCHIE
Title: President

The legal form and correctness of the within instrument is hereby approved.

DIRECTOR OF LAW - CITY OF MEDINA

By: [Signature]
Date: 9/27/16

REQUEST FOR COUNCIL ACTION

No. RCA 19-181-10/15

Committee: Finance

FROM: Keith Dirham, Finance Director
Lori Bowers, Deputy Finance Director

DATE: October 4, 2019

SUBJECT: Resolution Accepting Amounts and Rates as Determined by the Budget Commission

SUMMARY AND BACKGROUND:

Annual requirement per Ohio Revised Code Section 5705.34 for City Council to accept 2020 amounts and rates as determined by the Medina County Budget Commission and to authorize the necessary tax levies and certify them to the county auditor.

Estimated Cost:

Suggested Funding:

Sufficient funds in Account No.:

Transfer needed: From Account No.:
To Account No.:

NEW APPROPRIATION needed in Account No.:

Emergency Clause Requested. Yes

Reason: The deadline to certify the rates to the county auditor is October 31, 2019.

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord./Res.

Date:



Medina County Auditor

MIKE KOVACK

144 North Broadway St. • Medina, Ohio 44256

Date: September 24, 2019

To: Township Fiscal Officers
Village Fiscal Officers/Clerks
City Finance Directors
Library Treasurers

From: MaryBeth Guenther, Tax Settlements
Medina County Auditor's Office

Re: Official Certificate of Estimated Resources and
Resolution Accepting Amounts and Rates

Enclosed please find your copies of the:

1. Official Certificate of Estimated Resources
2. Extension Letter from the Ohio Department of Taxation, and
3. Your Resolution Accepting Amounts and Rates.

The Extension Letter is for your audit next year. It indicates the reason for extending the dates for the Resolution Accepting Rates.

The Resolution Accepting the Amounts and Rates must be approved and sent back to our office by **October 31, 2019**.

If you have an additional, replacement or renewal with an increase levy that passes on the ballot in November you will be sent another Resolution Accepting Rates after the election. This must be approved and sent back by **November 29, 2019**.

Thank you. If you have any questions please call me at 330.725.9781.

CERTIFICATE OF THE COUNTY BUDGET COMMISSION

The Budget Commission of Medina County, Ohio hereby makes the following Official Certificate of Estimated Resources for the City of MEDINA for the fiscal year beginning January 1, 2020.

FUND	Unencumbered Balance Jan. 1, 2020	Property Tax	Other Sources	TOTAL
01 General Fund	\$7,849,205.21	\$1,220,700.00	\$5,679,771.00	\$14,749,676.21
126 Police Pension	\$1,266,501.32	\$639,400.00	\$0.00	\$1,905,901.32
135 EMS Medical Service	\$740,201.31	\$1,057,600.00	\$0.00	\$1,797,801.31
102 St. Const., Maint, & Repair	\$326,491.33	XXXXXXXXXXXXXXXXXXXX	\$1,650,750.00	\$1,977,241.33
103 State Highway Improve. Fund	\$52,406.98	XXXXXXXXXXXXXXXXXXXX	\$127,560.00	\$179,966.98
104 Parks & Recreation	\$1,351,910.49	XXXXXXXXXXXXXXXXXXXX	\$1,145,550.00	\$2,497,460.49
105 Local License Fee	\$1,404,355.53	XXXXXXXXXXXXXXXXXXXX	\$257,500.00	\$1,661,855.53
106 Police Special	\$4,732,417.65	XXXXXXXXXXXXXXXXXXXX	\$5,602,000.00	\$10,334,417.65
107 Fire Special	\$900,561.75	XXXXXXXXXXXXXXXXXXXX	\$1,283,500.00	\$2,184,061.75
108 Street M & R Special	\$2,223,803.04	XXXXXXXXXXXXXXXXXXXX	\$2,795,000.00	\$5,018,803.04
109 Grants	\$939,045.36	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$939,045.36
115 County Local License Fee	\$84,196.49	XXXXXXXXXXXXXXXXXXXX	\$62,100.00	\$146,296.49
116 State DARE Grant	\$5,100.82	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$5,100.82
125 CDBG	\$809,003.32	XXXXXXXXXXXXXXXXXXXX	\$170,000.00	\$979,003.32
127 CHIP Grant	\$650,000.00	XXXXXXXXXXXXXXXXXXXX	\$650,000.00	\$1,300,000.00
129 Ohio Housing Trust	\$141,358.20	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$141,358.20
130 Open Space #1	\$54,108.91	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$54,108.91
131 Open Space #2	\$1,595.29	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$1,595.29
134 Non-Point Source Grant	\$162,910.38	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$162,910.38
137 CHIP Revolving Loan Fund	\$21,897.81	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$21,897.81
138 CDBG-CHIP CFDA 14.2	\$245,265.03	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$245,265.03
139 HOME-CHIP CFDA 14.2	\$737,790.40	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$737,790.40
140 Parking	\$592.00	XXXXXXXXXXXXXXXXXXXX	\$80,000.00	\$80,592.00
143 Economic Development	\$100,831.62	XXXXXXXXXXXXXXXXXXXX	\$27,000.00	\$127,831.62
144 Cable TV	\$597,260.38	XXXXXXXXXXXXXXXXXXXX	\$348,700.00	\$945,960.38
145 Railroad Renovations	\$418,377.36	XXXXXXXXXXXXXXXXXXXX	\$100,000.00	\$518,377.36
147 Airport FAA Grants	\$365,853.58	XXXXXXXXXXXXXXXXXXXX	\$300,000.00	\$665,853.58
150 Drug Enforcement Trust	\$27,241.51	XXXXXXXXXXXXXXXXXXXX	\$3,500.00	\$30,741.51
151 Federal Equitable Sharing	\$931.05	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$931.05

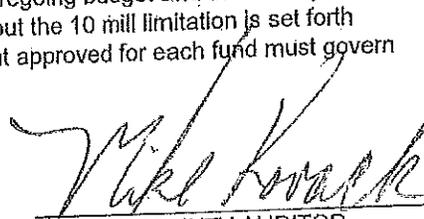
152 Police Training	\$24,860.00	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$24,860.00
155 Law Enforcement Trust	\$21,665.94	XXXXXXXXXXXXXXXXXXXX	\$5,000.00	\$26,665.94
158 Sealing of Records	\$12,297.00	XXXXXXXXXXXXXXXXXXXX	\$2,500.00	\$14,797.00
159 Presentence Investigation	\$95,798.00	XXXXXXXXXXXXXXXXXXXX	\$40,000.00	\$135,798.00
160 Computer Legal Research	\$36,192.78	XXXXXXXXXXXXXXXXXXXX	\$35,380.00	\$71,572.78
161 Court Probation Services	\$54,348.62	XXXXXXXXXXXXXXXXXXXX	\$140,000.00	\$194,348.62
162 Court FF&E	\$55,378.00	XXXXXXXXXXXXXXXXXXXX	\$55,000.00	\$110,378.00
163 DUI Enforcement	\$35,405.41	XXXXXXXXXXXXXXXXXXXX	\$2,500.00	\$37,905.41
164 Community Service	\$2,720.00	XXXXXXXXXXXXXXXXXXXX	\$1,000.00	\$3,720.00
165 Indigent Alcohol	\$186,925.93	XXXXXXXXXXXXXXXXXXXX	\$45,600.00	\$232,525.93
166 Indigent Driver Alcohol Monitoring	\$226,437.07	XXXXXXXXXXXXXXXXXXXX	\$46,200.00	\$272,637.07
167 Court Clerk Computer	\$177,642.64	XXXXXXXXXXXXXXXXXXXX	\$126,600.00	\$304,242.64
168 Case Management System	\$268,155.00	XXXXXXXXXXXXXXXXXXXX	\$45,900.00	\$314,055.00
169 Court Special Projects	\$4,477,190.17	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$4,477,190.17
301 General Purpose Capital	\$3,793,838.66	XXXXXXXXXXXXXXXXXXXX	\$684,300.00	\$4,478,138.66
304 Park/Recreation Capital	\$353.17	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$353.17
307 Fire Capital Projects	\$286,690.83	XXXXXXXXXXXXXXXXXXXX	\$170,100.00	\$456,790.83
329 Capital Projects	\$191,400.00	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$191,400.00
380 Issue II Projects Fund	\$762,676.51	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$762,676.51
381 Street Resurfacing Capital	\$195,465.16	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$195,465.16
384 Black Top Resurfacing	\$68,771.95	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$68,771.95
385 Curbs & Alleys Capital	\$37,338.85	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$37,338.85
386 Federal Highway Administration	\$483,373.33	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$483,373.33
388 Computer/Electronic Capital Repl	\$223,902.09	XXXXXXXXXXXXXXXXXXXX	\$170,100.00	\$394,002.09
389 Unanticipated Capital Contingenci	\$967,824.31	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$967,824.31
418 Special Assess Bond Retire	\$707,065.93	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$707,065.93
428 SA Projects	\$12,809.93	XXXXXXXXXXXXXXXXXXXX	\$17,500.00	\$30,309.93
513 Water	\$1,668,050.88	XXXXXXXXXXXXXXXXXXXX	\$4,594,700.00	\$6,262,750.88
514 Sanitation	\$1,454,144.49	XXXXXXXXXXXXXXXXXXXX	\$3,373,500.00	\$4,827,644.49
546 Water Capital Improvement	\$800,248.30	XXXXXXXXXXXXXXXXXXXX	\$1,014,000.00	\$1,814,248.30
547 Airport	\$100,661.61	XXXXXXXXXXXXXXXXXXXX	\$107,500.00	\$208,161.61
574 Recreation Center Administration	\$2,230,904.08	XXXXXXXXXXXXXXXXXXXX	\$2,752,800.00	\$4,983,704.08
575 MCRC Capital	\$528,994.41	XXXXXXXXXXXXXXXXXXXX	\$100,000.00	\$628,994.41
582 Stormwater Utility	\$52,134.94	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$52,134.94

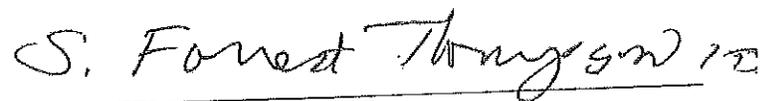
616 125 Plan Fund	\$15,836.64	XXXXXXXXXXXXXXXXXXXX	\$40,000.00	\$55,836.64
625 Payroll	\$99,611.25	XXXXXXXXXXXXXXXXXXXX	\$14,162,000.00	\$14,261,611.25
637 Trust & Agency	\$81,825.60	XXXXXXXXXXXXXXXXXXXX	\$294,150.00	\$375,975.60
676 Automotive Mechanics Revolving	\$56,675.73	XXXXXXXXXXXXXXXXXXXX	\$420,000.00	\$476,675.73
722 Water Meter Deposit	\$22,981.16	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$22,981.16
723 Developer Deposit	\$152,219.50	XXXXXXXXXXXXXXXXXXXX	\$20,000.00	\$172,219.50
736 Friends of the Cemetery	\$4,124.33	XXXXXXXXXXXXXXXXXXXX	\$750.00	\$4,874.33
739 Tricentennial Savings	\$6,672.89	XXXXXXXXXXXXXXXXXXXX	\$200.00	\$6,872.89
741 Utility Deposit	\$139,664.40	XXXXXXXXXXXXXXXXXXXX	\$35,000.00	\$174,664.40
743 Shade Tree Trust	\$10,731.95	XXXXXXXXXXXXXXXXXXXX	\$250.00	\$10,981.95
819 Cemetery Endowment	\$6,283.48	XXXXXXXXXXXXXXXXXXXX	\$100.00	\$6,383.48
820 Cemetery Investment	\$837,620.06	XXXXXXXXXXXXXXXXXXXX	\$39,000.00	\$876,620.06
821 Cemetery Mausoleum	\$60,343.29	XXXXXXXXXXXXXXXXXXXX	\$4,600.00	\$64,943.29
901 Unclaimed Monies	\$58,686.39	XXXXXXXXXXXXXXXXXXXX	\$15,000.00	\$73,686.39
902 Bicentennial Committee	\$79,917.89	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$79,917.89
924 Law Library	\$6,500.00	XXXXXXXXXXXXXXXXXXXX	\$55,000.00	\$61,500.00
938 Bid and Performance Bond	\$30,582.00	XXXXXXXXXXXXXXXXXXXX	\$50,000.00	\$80,582.00
939 Oh. Bd. of Bldg. Stand.	\$326.36	XXXXXXXXXXXXXXXXXXXX	\$8,500.00	\$8,826.36
975 Panning and Zoning Deposits	\$312.50	XXXXXXXXXXXXXXXXXXXX	\$0.00	\$312.50
TOTAL	\$48,123,795.53		\$2,917,700.00	\$48,957,661.00

The Budget Commission further certifies its action on the foregoing budget and the County Auditor's estimate of the rate of each tax to be levied within and without the 10 mill limitation is set forth in the proper columns in the tax budget and the total amount approved for each fund must govern the amount of appropriation from such fund.

DATE: September 20,

2019


 MEDINA COUNTY AUDITOR


 MEDINA COUNTY PROSECUTOR


 MEDINA COUNTY TREASURER

SCHEDULE B TAX YEAR 2019 COLLECTION YEAR 2020 2019 ESTIMATED VALUES & YIELDS

- 1. RES/AG \$404,352,710
- 2. OTHER REAL \$159,055,460
- 3. PUCO PERSONAL \$30,942,200
- 4. RES/AG NEW CONSTR. \$507,610
- 5. OTHER NEW CONSTR. \$4,046,230
- 6. TOTAL \$598,904,210

LEVIES INSIDE & OUTSIDE THE 10 MILL LIMITATION

SUBDIVISION: MEDINA CITY

FUND TYPE	PURPOSE	LAST YR. VOTED	NO. # YEARS	TAX YEAR FIRST/LAST	COLL YEAR FIRST/LAST	FULL MILLAGE	REDUCTION RES/AG OTHER	EFFECTIVE RES/AG OTHER	RES/AG	OTHER	PUCO PERSONAL	NEW CONSTRUCTION	TOTAL
GENERAL FUND						2.10	0.000000 0.000000	2.100000 2.100000	\$823,700	\$324,000	\$63,000	\$9,200	\$1,219,900
	POLICE PENSION					1.10	0.000000 0.000000	1.100000 1.100000	\$431,400	\$169,700	\$33,000	\$4,800	\$638,900
	AMBULANCE	2014 2000 RENEW	5	2015/2019	2016/2020	2.20	0.172466 0.207823	1.820575 1.742789	\$714,100	\$266,900	\$65,000	\$7,700	\$1,056,700
							0.000000 0.000000	0.000000 0.000000	\$0	\$0	\$0	\$0	\$0
							0.000000 0.000000	0.000000 0.000000	\$0	\$0	\$0	\$0	\$0

3.20 INSIDE MILLAGE \$1,969,200 \$762,600 \$162,000 \$21,700 \$2,915,500
 2.20 OUTSIDE MILLAGE
 5.40 TOTAL MILLAGE

5.020575 RES/AG EFFECTIVE
 4.942789 OTHER EFFECTIVE

SCHEDULE B TAX YEAR 2019 COLLECTION YEAR 2020 2019 ESTIMATED VALUES & YIELDS

- 1. RES/AG \$6,880
- 2. OTHER REAL \$398,700
- 3. PUCO PERSONAL \$4,900
- 4. RES/AG NEW CONSTR. \$0
- 5. OTHER NEW CONSTR. \$0
- 6. TOTAL \$410,480

LEVIES INSIDE & OUTSIDE THE 10 MILL LIMITATION

SUBDIVISION: MEDINA CITY

FUND TYPE	PURPOSE	LAST YR. VOTED	NO. # YEARS	TAX YEAR FIRST/LAST	COLL. YEAR FIRST/LAST	FULL MILLAGE	REDUCTION RES/AG OTHER	EFFECTIVE RES/AG OTHER	RES/AG	OTHER	PUCO PERSONAL CONSTRUCTION	NEW CONSTRUCTION	TOTAL
GENERAL FUND						1.90	0.000000 0.000000	1.900000 1.900000	\$0	\$700	\$0	\$0	\$700
	POLICE PENSION					1.10	0.000000 0.000000	1.100000 1.100000	\$0	\$400	\$0	\$0	\$400
	AMBULANCE	2014	5	2015/2019	2016/2020	2.20	0.172466 0.207823	1.820575 1.742789	\$0	\$700	\$0	\$0	\$700
							0.000000 0.000000	0.000000 0.000000	\$0	\$0	\$0	\$0	\$0

3.00 INSIDE MILLAGE \$0 \$1,800 \$0 \$1,800
 2.20 OUTSIDE MILLAGE
 5.20 TOTAL MILLAGE

4.820575 RES/AG EFFECTIVE
 4.742789 OTHER EFFECTIVE

SCHEDULE B TAX YEAR 2019 COLLECTION YEAR 2020 2019 ESTIMATED VALUES & YIELDS

TAX YEAR 2019

COLLECTION YEAR 2020

- 1. RES/AG \$106,200
- 2. OTHER REAL \$0
- 3. PUJO PERSONAL \$0
- 4. RES/AG NEW CONSTR. \$0
- 5. OTHER NEW CONSTR. \$0
- 6. TOTAL \$106,200

LEVIES INSIDE & OUTSIDE THE 10 MILL LIMITATION

SUBDIVISION: MEDINA CITY

FUND TYPE	PURPOSE	LAST YR. VOTED	NO.# YEARS	TAX YEAR FIRST/LAST	COLL. YEAR FIRST/LAST	FULL MILLAGE	REDUCTION RES/AG OTHER	EFFECTIVE RES/AG OTHER	RES/AG	OTHER	PUJO PERSONAL	NEW CONSTRUCTION	TOTAL
GENERAL FUND						0.50	0.000000 0.000000	0.500000 0.500000	\$100	\$0	\$0	\$0	\$100
	POLICE PENSION					1.10	0.000000 0.000000	1.100000 1.100000	\$100	\$0	\$0	\$0	\$100
	AMBULANCE	2014 2000 RENEW	5	2015/2019	2016/2020	2.20	0.172486 0.207823	1.820575 1.742789	\$200	\$0	\$0	\$0	\$200
						0.00	0.000000 0.000000	0.000000 0.000000	\$0	\$0	\$0	\$0	\$0

\$400

\$0

\$0

\$400

1.60 INSIDE MILLAGE

2.20 OUTSIDE MILLAGE

3.80 TOTAL MILLAGE

\$400

\$0

\$0

\$400

\$0

\$0

\$400

3.420575 RES/AG EFFECTIVE
3.342789 OTHER EFFECTIVE



Medina County Auditor

MIKE KOVACK

144 North Broadway St. • Medina, Ohio 44256

September 2019

Medina City

The Ohio Department of Taxation has released the 2020 estimates for Local Government Funds. Below is your estimate for the year 2020.

2020 Estimated Distribution \$ 411,721

Should you have any questions regarding these amounts, please do not hesitate to contact me.

Sincerely,

Mike Kovack
Medina County Auditor
Secretary, Medina County Budget Commission

MEDINA CITY PURPOSE	For 2017 Actual	For 2018 Actual	For 2019 Estimated	For 2020 Estimated
GENERAL FUND REVENUE				
LOCAL TAXES			1,324,262.00	1,351,797.00
Property Taxes	1,233,130.46	1,133,069.57	0.00	0.00
Tangible Personal Property Tax	0.00	0.00	3,415,000.00	3,468,000.00
Municipal Income Tax	3,369,498.41	3,485,677.46		
TOTAL LOCAL TAXES:	4,602,628.87	4,618,747.03	4,739,262.00	4,819,797.00
INTERGOVERNMENTAL REVENUES:				
State Shared Taxes and Permits			405,000.00	405,000.00
Local Government	383,054.21	403,466.88	0.00	0.00
Estate Tax	0.00	0.00	2,700.00	2,700.00
Cigarette License Fees	2,790.94	2,831.79	850.00	850.00
Lodging Tax	1,365.25	1,171.28	25,000.00	25,000.00
Liquor Permit Fees	23,964.50	31,078.25	0.00	0.00
Local Govt Rev Assistance	0.00	0.00	128,000.00	131,000.00
Homestead/Rollback	140,243.76	127,607.32	1,150.00	1,150.00
Other State Shared Taxes & Permits	5,322.81	3,400.00	562,700.00	565,700.00
TOTAL STATE SHARED TAXES AND PERMITS:	556,741.47	569,555.52		
Federal Grants or Aid	0.00	0.00	0.00	0.00
State Grants or Aid	0.00	0.00	0.00	0.00
Other Grants or Aid	0.00	0.00	0.00	0.00
TOTAL INTERGOVERNMENTAL REVENUES	0.00	0.00	0.00	0.00
Special Assessments	0.00	0.00	0.00	0.00
Charges for Services	370,898.61	337,379.62	303,000.00	303,000.00
Fines, Licenses, and Permits	1,282,899.39	1,559,355.23	1,178,600.00	1,178,600.00
Miscellaneous	385,989.19	796,335.55	306,250.00	281,250.00
OTHER FINANCING SOURCES:				
Proceeds from Sale of Debt	0.00	0.00	0.00	0.00
Transfers	0.00	0.00	0.00	0.00
Advances	4,898,079.00	4,858,079.00	4,000,000.00	0.00
Other Sources	4,240.98	653.50	7,500.00	7,500.00
TOTAL REVENUE:	12,101,477.51	12,740,105.45	11,097,312.00	7,155,847.00

MEDINA CITY PURPOSE	For 2017 Actual	For 2018 Actual	For 2019 Estimated	For 2020 Estimated
EXPENDITURES				
SECURITY OF PERSONS AND PROPERTY			185,168.00	194,448.97
Contractual Services	139,395.92	187,378.10	24,332.00	25,551.03
Supplies and Materials	18,316.94	24,621.90	0.00	0.00
Capital Outlay	0.00	0.00		
TOTAL SECURITY OF PERSONS AND PROPERTY:	157,712.86	212,000.00	209,500.00	220,000.00
PUBLIC HEALTH SERVICES			106,331.00	109,735.35
Personal Services	87,240.04	106,331.07	0.00	0.00
Travel Transportation	0.00	0.00	16,059.00	16,573.52
Contractual Services-Cemetery	13,176.02	16,059.37	40,171.00	41,457.08
Supplies	32,958.54	40,170.97	53,332.00	55,039.05
Capital Outlay	43,756.26	53,331.59		
TOTAL PUBLIC HEALTH SERVICES:	177,130.86	215,893.00	215,893.00	222,805.00
LEISURE TIME ACTIVITIES			0.00	0.00
Personal Services	0.00	0.00	0.00	0.00
Benefits & Insurance	0.00	0.00		
TOTAL LEISURE TIME ACTIVITIES:	0.00	0.00	0.00	0.00
COMMUNITY ENVIRONMENT			645,350.00	704,968.13
Personal Services	598,068.65	655,049.42	0.00	0.00
Benefits & Insurance	0.00	0.00	159,773.00	174,532.75
Contractual Services	148,067.06	162,174.10	25,883.00	28,056.12
Supplies and Materials	23,801.77	26,069.47	0.00	0.00
Capital Outlay	0.00	0.00		
TOTAL COMMUNITY ENVIRONMENT:	769,937.48	843,292.99	830,806.00	907,557.00
BASIC UTILITY SERVICES			1,185.00	1,185.00
Personal Services	0.00	0.00	0.00	0.00
Benefits & Insurance	0.00	0.00		
TOTAL BASIC UTILITY SERVICES	0.00	0.00	1,185.00	1,185.00
GENERAL GOVERNMENT:			4,408,455.00	4,455,030.96
Personal Services	4,089,950.67	4,145,715.80	0.00	0.00
Benefits & Insurance	0.00	0.00	1,264,304.00	1,277,661.79
Contractual Services	1,172,960.13	1,230,719.73	623,883.00	630,473.94
Supplies and Materials	578,807.94	607,309.95	7,364.00	7,442.31
Capital Outlay	6,832.43	7,168.88		
TOTAL GENERAL GOVERNMENT	5,848,551.17	5,990,914.36	6,304,006.00	6,370,609.00
DEBT SERVICE			0.00	0.00
Redemption of Principal	0.00	0.00	0.00	0.00
TOTAL DEBT SERVICE:	0.00	0.00	0.00	0.00
OTHER USES OF FUNDS			112,500.00	112,500.00
Transfers	20,000.00	133,386.60	0.00	0.00
Advances	4,888,079.00	3,668,989.00		
TOTAL OTHER USES OF FUNDS:	4,908,079.00	3,802,375.60	112,500.00	112,500.00
TOTAL EXPENDITURES:	11,861,411.37	11,064,475.95	7,673,890.00	7,834,656.00
Revenues over/(under) Expenditures	240,066.14	1,676,629.50	3,423,422.00	(678,809.00)
Beginning Unencumbered Balance	2,510,087.57	2,750,153.71	4,425,783.21	7,849,205.21
Ending Cash Fund Balance	2,750,153.71	4,425,783.21	7,849,205.21	7,170,396.21
Estimated Encumbrances (outstanding at year end)	116,673.89	183,191.20	250,000.00	400,000.00
Estimated Ending Unencumbered Fund Balance	2,633,479.82	4,242,592.01	7,599,205.21	6,770,396.21

POLICE AND FIRE PENSION FUND
SPECIAL REVENUE LEVY

DESCRIPTION	For 2017 ACTUAL	For 2018 ACTUAL	For 2019 ESTIMATE	For 2020 ESTIMATE
REVENUE				
LOCAL TAXES	481,942.73	592,801.80	595,680.00	607,594.00
General Property Tax - Real Estate	0.00	0.00	0.00	0.00
Tangible Personal Property Tax	668.50	657.94	472.00	481.00
Other - House Trailer				
TOTAL LOCAL TAXES:	482,611.23	593,459.74	596,152.00	608,075.00
INTERGOVERNMENTAL REVENUE				
State Shared Taxes and Permits	55,144.62	66,846.33	42,442.00	43,291.00
Property Tax Allocation			42,442.00	43,291.00
TOTAL INTERGOVERNMENTAL REVENUE:	55,144.62	66,846.33	42,442.00	43,291.00
OTHER FINANCING SOURCES				
Advances	0.00	0.00	0.00	0.00
Other Sources	0.00	0.00	0.00	0.00
TOTAL REVENUE:	537,755.85	660,306.07	638,594.00	651,366.00
EXPENDITURES				
SECURITY OF PERSONS AND PROPERTY				
Personal Services	546,941.38	618,082.58	653,772.00	689,493.00
Contractual Services	10,163.59	11,388.91	19,500.00	19,500.00
Capital Outlay	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES:	557,104.97	629,471.49	673,272.00	708,993.00
Revenues over/(under) Expenditures	(19,349.12)	30,834.58	(34,678.00)	(57,627.00)
Beginning Unencumbered Balance	1,289,693.86	1,270,344.74	1,301,179.32	1,266,501.32
Ending Cash Fund Balance	1,270,344.74	1,301,179.32	1,266,501.32	1,208,874.32
Estimated Encumbrances (outstanding at year end)	0.00	0.00	0.00	0.00
Estimated Ending Unencumbered Fund Balance	1,270,344.74	1,301,179.32	1,266,501.32	1,208,874.32

EMERGENCY MEDICAL SERVICE FUND
SPECIAL REVENUE LEVY

DESCRIPTION	For 2017 ACTUAL	For 2018 ACTUAL	For 2019 ESTIMATE	For 2020 ESTIMATE
REVENUE				
LOCAL TAXES				
General Property Tax - Real Estate	972,945.32	981,061.93	1,039,135.00	1,059,918.00
Tangible Personal Property Tax	0.00	0.00	0.00	0.00
Other - House Trailer	1,366.69	1,098.72	1,408.00	1,436.00
TOTAL LOCAL TAXES:	974,312.01	982,160.65	1,040,543.00	1,061,354.00
INTERGOVERNMENTAL REVENUES:				
Property Tax Allocation	111,607.29	110,688.68	125,200.00	127,804.00
Other Sources	0.00	0.00	0.00	0.00
Transfers	0.00	0.00	0.00	0.00
TOTAL REVENUE:	1,085,919.30	1,092,849.33	1,165,743.00	1,188,958.00
EXPENDITURES				
SECURITY OF PERSONS AND PROPERTY				
Contractual Services	1,372,867.24	1,275,939.32	1,373,300.00	1,423,300.00
Supplies & Materials	0.00	0.00	0.00	0.00
Capital Outlay	0.00	0.00	0.00	0.00
Transfers	0.00	0.00	0.00	0.00
TOTAL SECURITY OF PERSONS AND PROPERTY:	1,372,867.24	1,275,939.32	1,373,300.00	1,423,300.00
OTHER USES OF FUNDS				
Transfers	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES:	1,372,867.24	1,275,939.32	1,373,300.00	1,423,300.00
Revenues over/(under) Expenditures	(286,947.94)	(183,089.99)	(207,557.00)	(234,342.00)
Beginning Unencumbered Balance	1,417,796.24	1,130,848.30	947,758.31	740,201.31
Ending Cash Fund Balance	1,130,848.30	947,758.31	740,201.31	505,859.31
Estimated Encumbrances (outstanding at year end)	161,695.12	145,295.19	225,000.00	225,000.00
Estimated Ending Unencumbered Fund Balance	969,153.18	802,463.12	515,201.31	280,859.31

MEDINA CITY

EXHIBIT III

OTHER FUNDS:

(List all Funds Individually Unless Reported on Exhibit I or II)

		BUDGET YEAR EXPENDITURES AND ENCUMBRANCES				ESTIMATED	
		PERSONAL SERVICES		OTHER	TOTAL	UNENCUMB. BAL. 12/31/2020	
	FUND BALANCE 1/1/2020	BUDGET YEAR RECEIPTS	TOTAL AVAILABLE				
GOVERNMENTAL FUNDS							
SPECIAL REVENUE FUNDS							
102	Street Repair & Maintenance Fund	326,491.33	1,577,241.33	783,550.00	1,333,550.00	643,691.33	
103	State Highway Fund	52,405.98	179,966.98	59,526.00	94,526.00	85,440.98	
104	Parks and Recreation	1,351,910.49	2,497,460.49	666,707.00	1,116,707.00	1,380,753.49	
105	Local License Fee	1,404,955.53	1,661,858.53	252,215.00	252,215.00	1,409,640.53	
106	Police Special	4,762,417.55	10,334,417.55	2,744,857.00	6,144,857.00	4,189,560.65	
107	Fire Special	500,561.75	2,184,061.75	943,069.00	1,293,069.00	890,992.75	
108	Street Repair & Maintenance Special	2,223,803.04	5,018,803.04	2,794,019.00	2,794,019.00	2,224,784.04	
108	Grants	939,045.36	939,045.36	0.00	0.00	939,045.36	
115	County Local License Fee	84,196.49	146,296.49	63,500.00	63,500.00	82,796.49	
116	State DARE Grant	5,100.82	5,100.82	0.00	0.00	5,100.82	
125	CDBG	809,003.32	979,003.32	0.00	0.00	979,003.32	
127	CHIP Grant	650,000.00	1,300,000.00	0.00	0.00	1,300,000.00	
129	Ohio Housing Trust	141,358.20	141,358.20	0.00	0.00	141,358.20	
130	Open Space #1	54,108.91	54,108.91	0.00	0.00	54,108.91	
131	Open Space #2	1,595.29	1,595.29	0.00	0.00	1,595.29	
134	Non-Point Source Grant	162,910.38	162,910.38	0.00	0.00	162,910.38	
137	Chip Revolving Loan Fund	21,897.81	21,897.81	0.00	0.00	21,897.81	
138	CDBG-CHIP CFDA 14.2	245,265.03	245,265.03	0.00	0.00	245,265.03	
139	HOME-CHIP CFDA 14.2	737,790.40	737,790.40	0.00	0.00	737,790.40	
140	Parking	592.00	80,592.00	29,285.00	79,285.00	1,307.00	
143	Economic Development	100,831.62	127,831.62	0.00	27,000.00	100,831.62	
144	Cable TV	597,260.38	945,960.38	240,695.00	380,695.00	565,265.38	
145	Railroad Renovation	418,377.36	518,377.36	80,000.00	90,000.00	428,377.36	
147	Airport FAA Grants	365,853.58	665,853.58	0.00	0.00	665,853.58	
150	Drug Enforcement Trust	27,241.51	30,741.51	0.00	0.00	30,741.51	
151	Federal Equitable Sharing	931.05	931.05	0.00	0.00	931.05	
152	Police Training	24,860.00	24,860.00	0.00	0.00	24,860.00	
155	Law Enforcement Trust	21,665.94	26,665.94	0.00	0.00	26,665.94	
158	Sealing of Records	12,297.00	14,797.00	0.00	0.00	14,797.00	
159	Presentence Investigation	95,798.00	135,798.00	0.00	0.00	135,798.00	
160	Computer Legal Research	36,192.78	71,572.78	0.00	30,000.00	41,572.78	
161	Court Probation Services	54,348.62	194,348.62	79,199.00	158,199.00	35,149.62	
162	Court FF&E	55,378.00	110,378.00	0.00	0.00	110,378.00	
163	DUI Enforcement	35,405.41	37,905.41	0.00	0.00	37,905.41	
164	Community Service	2,720.00	3,720.00	0.00	0.00	3,720.00	
165	Indigent Driver Alcohol Treatment	166,925.93	232,525.93	50,000.00	50,000.00	182,525.93	
166	Indigent Driver Alcohol Monitoring/Inter	226,437.07	272,637.07	30,000.00	30,000.00	242,637.07	
167	Court Clerk Computer	177,642.64	304,242.64	10,000.00	110,000.00	194,242.64	
168	Case Management System	268,155.00	314,055.00	0.00	0.00	314,055.00	
169	Court Special Projects	4,477,190.17	4,477,190.17	0.00	0.00	4,477,190.17	
TOTAL SPECIAL REVENUE:		22,030,322.84	37,179,162.84	8,883,622.00	14,048,622.00	23,130,540.84	

	EST FUND BALANCE 1/1/2020	BUDGET YEAR RECEIPTS	TOTAL AVAILABLE	PERSONAL SERVICES	OTHER	TOTAL	ESTIMATED UNENCUMB. BAL. 12/31/2020
DEBT SERVICE FUNDS							
418 Special Assessment Bond Retirement Fund	707,065.93	0.00	707,065.93	0.00	0.00	0.00	707,065.93
TOTAL DEBT SERVICE:	707,065.93	0.00	707,065.93	0.00	0.00	0.00	707,065.93
CAPITAL PROJECT FUNDS							
301 General Purpose Capital	3,793,838.66	684,300.00	4,478,138.66	0.00	675,268.00	675,268.00	3,802,870.66
304 Park/Recreation Capital	353.17	0.00	353.17	0.00	0.00	0.00	353.17
307 Fire Capital Projects	286,690.83	170,100.00	456,790.83	0.00	0.00	0.00	456,790.83
329 Capital Projects	191,400.00	0.00	191,400.00	0.00	0.00	0.00	191,400.00
380 Issue II Projects Fund	762,676.51	0.00	762,676.51	0.00	0.00	0.00	762,676.51
381 Street Resurfacing Capital	195,465.16	0.00	195,465.16	0.00	0.00	0.00	195,465.16
384 Black Top Resurfacing	68,771.95	0.00	68,771.95	0.00	0.00	0.00	68,771.95
385 Curbs & Alleys Capital	37,338.85	0.00	37,338.85	0.00	0.00	0.00	37,338.85
386 Federal Highway Administration	483,373.33	0.00	483,373.33	0.00	0.00	0.00	483,373.33
388 Computer/Electronic Capital Replacement	223,902.09	170,100.00	394,002.09	0.00	190,000.00	190,000.00	204,002.09
389 Unanticipated Capital Contingencies	967,824.31	0.00	967,824.31	0.00	0.00	0.00	967,824.31
428 Special Assessment Projects	12,809.93	17,500.00	30,309.93	0.00	8,650.00	8,650.00	21,659.93
TOTAL CAPITAL PROJECT:	7,024,444.79	1,042,000.00	8,066,444.79	0.00	873,918.00	873,918.00	7,192,526.79
PROPRIETARY & ENTERPRISE FUNDS							
513 Water	1,668,050.88	4,594,700.00	6,262,750.88	1,150,000.00	3,636,292.76	4,786,292.76	1,476,458.10
514 Sanitation	1,454,144.49	3,373,500.00	4,827,644.49	1,250,000.00	2,374,599.00	3,624,599.00	1,203,045.49
546 Water Capital Improvement	800,248.30	1,014,000.00	1,814,248.30	0.00	940,025.00	940,025.00	874,223.30
547 Airport	100,661.61	107,500.00	208,161.61	0.00	92,000.00	92,000.00	116,161.61
574 Recreation Center Administration	2,230,904.08	2,752,800.00	4,983,704.08	1,500,000.00	1,327,508.00	2,827,508.00	2,156,196.08
575 MCR Capital	528,994.41	100,000.00	628,994.41	0.00	100,000.00	100,000.00	528,994.41
582 Stormwater Utility	52,134.94	0.00	52,134.94	0.00	0.00	0.00	52,134.94
TOTAL ENTERPRISE:	6,835,138.71	11,942,500.00	18,777,638.71	3,900,000.00	8,470,424.78	12,370,424.78	5,407,213.93
INTERNAL SERVICE FUNDS							
616 125 Plan Fund	15,836.64	40,000.00	55,836.64	0.00	40,000.00	40,000.00	15,836.64
625 Payroll	99,611.25	14,162,000.00	14,261,611.25	0.00	14,162,000.00	14,162,000.00	99,611.25
637 Agency	81,825.60	294,150.00	375,975.60	0.00	219,600.00	219,600.00	156,375.60
676 Automotive Mechanics Revolving	56,675.73	420,000.00	476,675.73	0.00	430,098.00	430,098.00	46,577.73
TOTAL INTERNAL SERVICE:	253,949.22	14,916,150.00	15,170,099.22	0.00	14,851,698.00	14,851,698.00	318,401.22

MEDINA CITY

BUDGET YEAR EXPENDITURES AND ENCUMBRANCES
 ESTIMATED UNENCUMB. BAL.
 12/31/2020

BUDGET YEAR RECEIPTS
 EST FUND BALANCE 1/1/2020

FIDUCIARY TRUST AND AGENCY FUNDS

	BUDGET YEAR RECEIPTS	EST FUND BALANCE 1/1/2020	TOTAL AVAILABLE	PERSONAL SERVICES	OTHER	TOTAL	ESTIMATED UNENCUMB. BAL. 12/31/2020
722	0.00	22,981.16	22,981.16	0.00	0.00	0.00	22,981.16
723	20,000.00	152,219.50	172,219.50	0.00	17,000.00	17,000.00	155,219.50
736	750.00	4,124.33	4,874.33	0.00	750.00	750.00	4,124.33
739	200.00	6,872.89	6,872.89	0.00	0.00	0.00	6,872.89
741	35,000.00	139,664.40	174,664.40	0.00	30,000.00	30,000.00	144,664.40
743	250.00	10,731.95	10,981.95	0.00	0.00	0.00	10,981.95
819	100.00	6,283.48	6,383.48	0.00	1,500.00	1,500.00	4,883.48
820	39,000.00	837,620.06	876,620.06	0.00	5,000.00	5,000.00	871,620.06
821	4,600.00	60,343.29	64,943.29	0.00	0.00	0.00	64,943.29
901	15,000.00	58,686.39	73,686.39	0.00	0.00	0.00	73,686.39
902	0.00	79,917.89	79,917.89	0.00	0.00	0.00	79,917.89
924	55,000.00	6,500.00	61,500.00	0.00	50,000.00	50,000.00	11,500.00
938	50,000.00	30,582.00	80,582.00	0.00	50,000.00	50,000.00	30,582.00
939	8,500.00	326.36	8,826.36	0.00	8,500.00	8,500.00	326.36
975	0.00	312.50	312.50	0.00	0.00	0.00	312.50
TOTAL TRUST AND AGENCY:	228,400.00	1,416,966.20	1,645,366.20	0.00	152,750.00	162,750.00	1,482,616.20
TOTAL FOR MEMORANDUM ONLY	\$43,277,890.00	\$38,267,887.69	\$81,545,777.69	\$9,065,000.00	\$33,242,412.78	\$42,307,412.78	\$39,238,364.91

0000000287



JOURNAL ENTRY

Date: JUL - 9 2019

The Honorable Michael E Kovack
Medina County Auditor
144 N Broadway St Rm 301
Medina OH 44256

Entry Number: 19-07-0139

Re: Approval of Extension for the Medina County Budget Commission to Complete its Work

The Tax Commissioner, upon consideration of the application filed by the County Auditor, as secretary of the county budget commission, on July 1, 219, for an extension of time beyond the statutory date of September first to complete its work, as provided by Revised Code section 5705.27, finds that the extension of time is necessary and approves October 1, 2019, as the date within which such work shall be completed, pursuant to Ohio Revised Code section 5705.341 (last para.).

The Tax Commissioner also extends the October first deadline contained in Ohio Revised Code section 5705.34 for the political subdivision to authorize the necessary tax levies to the auditor by the same number of days that the extension to certify rates is granted by this entry. Accordingly, the political subdivision must authorize the necessary tax levies to the auditor by November 1, 2019. The County Auditor must notify each political subdivision affected by this entry.

It is ordered that a copy of this entry be certified to the County Auditor, as secretary of the County Budget Commission.

I CERTIFY THAT THIS IS A TRUE AND ACCURATE COPY OF THE
ENTRY RECORDED IN THE TAX COMMISSIONER'S JOURNAL.

/s/ Jeffrey A. McClain

A handwritten signature in cursive script that reads 'Jeffrey A. McClain'.

JEFFREY A. McCLAIN
TAX COMMISSIONER

Jeffrey A. McClain
Tax Commissioner

TT

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR

(CITY COUNCIL)
Revised Code, Secs. 5705.34-5705.35

The Council of the City of MEDINA, MEDINA
County, Ohio, met in _____ session on the _____ day of _____
(Regular Or Special)
20____, at the office of _____ with the following members
present:

Mr./Mrs. _____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously
adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, **2020**
and

WHEREAS, The Budget Commission of MEDINA County, Ohio, has
certified its action thereon to this Council together with an estimate by the County Auditor of the rate
of each tax necessary to be levied by this Council, and what part thereof is without, and what part
within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of MEDINA,
MEDINA County, Ohio, that the amounts and rates, as determined
by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate
of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET
COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount to Be Derived from Levies Outside 10 M. Limitation	Amount Approved by Budget Commission Inside 10 M. Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
General Fund		\$1,220,700	2.10	
General Bond Retirement Fund				
Police Pension		\$639,400	1.10	
Park Fund				
Recreation Fund				
FIRE Bond				
AMBULANCE Fund	\$1,057,600			2.20
Fund				
TOTAL	\$1,057,600	\$1,860,100	3.20	2.20

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to Be Levied	Co. Auditor's Est. of Yield of Levy (Carry to Schedule A, Column II)
GENERAL FUND:		
Current Expense Levy authorized by voters on for not to exceed _____ years. ,20		
Current Expense Levy authorized by voters on for not to exceed _____ years. ,20		
Current Expense Levy authorized by voters on for not to exceed _____ years. ,20		
Total General Fund outside 10m. Limitation.		
Park Fund: Levy authorized by voters on for not to exceed _____ years. ,20		
Recreation Fund: Levy authorized by voters on for not to exceed _____ years. ,20		
AMBULANCE Fund: Levy authorized by voters on NOVEMBER 4, 2014 for not to exceed 5 years. RENEWAL	2.20	\$1,057,600
Fund: Levy authorized by voters on for not to exceed _____ years.		

and be it further

RESOLVED, That the Clerk of this Council be and he is hereby directed to certify a copy of this

Resolution to the County Auditor of Said County.

Mr./Mrs. _____ seconded the Resolution and the roll being called

upon its adoption the vote resulted as follows:

Mr./Mrs. _____

Mr./Mrs. _____

Mr./Mrs. _____

Adopted the _____ day of _____, 20____.

Attest:

President of Council

Clerk of Council

CERTIFICATE OF COPY
ORIGINAL ON FILE

The State of Ohio, _____ County, ss.

I, _____, Clerk of the Council of the City

of _____ within and for said County, and in whose custody the Files
and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby
certify that the foregoing is taken and copied from the original _____

now on file, that the foregoing has been compared by me with said original document,
and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 20____

Clerk of Council

No. _____

COUNCIL OF THE CITY OF

County, Ohio.

RESOLUTION
ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE
NECESSARY TAX LEVIES AND CERTIFYING
THEM TO THE COUNTY AUDITOR

(City Council)

Adopted _____, 20 ____

Clerk of Council

Filed _____, 20 ____

County Auditor

By _____
Deputy

OK
St Harney
10-4-19

REQUEST FOR COUNCIL ACTION

No. RCA 19-182-10/15

FROM: Mike Wright
DATE: October 4, 2019
SUBJECT: MCRC Part Time Pay Rate Amendment

Committee: Finance

SUMMARY AND BACKGROUND:

The MCRC is requesting approval to amend Section 31.02 (E) of the Salaries and Benefits Code, relative to the Part Time Pay Rate Schedule. The Ohio Minimum Wage has increased, requiring changes to some part time pay rates. The MCRC is requesting the change be effective January 1, 2020.

Please See Exhibit A for details.

Estimated Cost:

Suggested Funding:

- sufficient funds in Account No.
- transfer needed from Account No.
to Account No.
- NEW APPROPRIATION needed in Account No.

Emergency Clause Requested:

Reason:

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord./Res.
Date:

OK
Dott Hannen
10-4-19

REQUEST FOR COUNCIL ACTION

No. ECA 19-183-10/15

FROM: Medina Community Recreation Center

Committee: Finance

DATE: 10-3-2019

SUBJECT: Part Time Position Addition and pay increases

SUMMARY AND BACKGROUND:

The Medina Community Recreation Center respectfully requests Council to approve the MCRC to add a position and job description for the facility. We would like to combine two existing positions and their responsibilities - the Fitness Room Attendant and Front Desk Attendant - into one position. This would better accommodate the patrons in the fitness room and the front desk area and will not cost the facility any additional funding.

The position will be called the "facility attendant" and the pay will be an RC15 starting @ \$9.72 per hour. Any current Front Desk Attendant or Fitness Room Attendant can apply for this position and increase their pay with increased responsibilities. This will make for a more well-rounded employee who will better serve the facility.

This was reviewed and recommended by the Civil Service Commission on Oct 4th and the Law Director has also reviewed it.

* The MCRC would also like to request to change the job code for our building monitors to an RC20 starting @ \$10.77 an hour, as they are responsible for the building when full time staff is not available. (Early mornings, nights, and weekends)

Estimated Cost: \$12,000 (1st year)

Suggested Funding: existing budget

Sufficient funds in Account No.

- Transfer needed from Account No. _____ To Account No. _____
- NEW APPROPRIATION needed in Account No. _____

Emergency Clause Requested: No

Reason:

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord. /Res.

Date:

**THE CITY OF MEDINA
JOB DESCRIPTION**

TITLE: MCRC Facility Attendant

REPORTS TO: Office Administrator and Recreation Supervisor

DEPARTMENT/DIVISION: Recreation

CIVIL SERVICES STATUS: Unclassified

JOB STATUS: Part-time

EXEMPT STATUS: Non-exempt

CLASSIFICATION FEATURES: The Facility Attendant is a combined position under the direction of the Office Administrator that ensures the efficient operations of all front desk procedures and policies, completes training with the full knowledge of membership software in regard to selling memberships, program registration and maintains a balanced cash drawer. The Facility Attendant also is under the direction of the Recreation Supervisor throughout the day to ensure the safety and well-being of the Fitness Room, including patron questions and concerns, machine and equipment upkeep, proper machine instruction and assistance with any fitness programming which utilizes the Fitness Room.

ESSENTIAL JOB FUNCTIONS:

Front Desk (report to Office Administrator)

Participates in training program to obtain thorough knowledge of membership sales, programs and facility access.

Provide excellent customer service when checking patrons into building, assisting with membership and class registration, answering questions or concerns and collecting fees.

Promotes and contributes to a team environment with co-workers and staff.

Provides knowledge of all Medina Community Recreation Center (MCRC) policies and procedures to patrons.

Ensures the front desk area and lobby are clean, orderly and neat at all times.

Reads and adds appropriate notations to daily communication.

Utilizes any electronic reference available as it pertains to the MCRC to ensure current and accurate distribution of information.

Monitors front door access, lobby area, fitness area, and community rooms during operating hours. Additional areas of the building, as needed.

Assigns facility equipment to patrons and ensures appropriate return procedures.

Maintains accurate reports and records related to the daily activities of MCRC.

Builds and maintains positive working relations with co-workers.

Operates various office machines and equipment as needed.

Maintains a visibly positive and approachable composure to promote patron-employee interaction.

Ensures all MCRC policies and procedures are followed by members and visitors.

Fitness Room (report to Recreation Supervisor)

Provides instruction on proper exercise equipment use and techniques.

Enforces all Fitness Room rules and policies.

Monitors use of the fitness equipment during operating hours.

Maintains order and appearance of all Fitness Room equipment.

Inspects equipment and reports any unsafe conditions or maintenance needs.

Completes the cleaning and programming responsibilities for the assigned shift.

Assists with the implementation and promotion of wellness/incentive programs and special events.

Solicits and documents patron concerns and questions involving Fitness Room or programs taking place within the Fitness Room.

Assists with the setup and teardown for events and rentals.

Assists with crowd control and crowd flow.

Front Desk & Fitness Room

Maintain current certifications in First Aid and Cardiopulmonary Resuscitation.

Communicates and relays information, concerns and feedback to the Office Administrator and Recreation Supervisor.

Provides a clean and enjoyable atmosphere for the patrons.

Attends all mandatory staff meetings and training sessions.

Perform duties with minimal supervision.

Maintains regular and consistent attendance.

Able to perform the physical demands including but are not limited to being able to sit continuously at a computer terminal, desk or work station along with being able to lift and move MCRC equipment and objects, and have the strength and agility to walk, stand, bend, stoop, crawl, squat, kneel and reach for long periods throughout the work day.

EDUCATION, TRAINING AND EXPERIENCE:

Certifications:

First Aid

Cardiopulmonary Resuscitation/ AED

License:

Valid driver's license issued by the State of Ohio.

QUALIFICATIONS:

Knowledge of:

- MCRC policies and procedures as they relate to patrons;
- Membership sales, programs and facility access;
- Membership software in regard to selling memberships and program registration;
- Fitness and wellness concepts;
- Fitness Room policies; and
- Emergency procedures of the Fitness Room and Medina Community Recreation Center.

Skilled in:

- Customer service;
- Handling sales transactions;
- Basic arithmetic; and
- Personal computer use preferred.

Ability to:

- Communicate effectively in writing or orally with co-workers, supervisors and the general public on the telephone or in person;
- Remain organized;
- Understand and follow complex oral and written instructions;

- Maintain a balanced cash drawer;
- Work with others in a dynamic customer service oriented environment;
- Interact with the public in a professional, courteous and informative manner;
- Report to work on time and in the proper uniform; and
- Operate standard office equipment including but not limited to, personal computer, fax and copy machines, telephone and printers.

ENVIRONMENTAL ELEMENTS:

This individual works indoors at the MCRC front desk, Fitness Room and/or Memorial Park Pool.

WORKING CONDITIONS:

May be required to work outside normal business hours including weekends, evenings and holidays.

EQUIPMENT USED:

ADDITIONAL REQUIREMENTS: The above information on this description has been designed to indicate the general nature and level of work performed by employees within this classification. It is not designed to contain or be interpreted as a comprehensive inventory of all duties, responsibilities and qualifications required of employees assigned to this job. Employee understands that conditions may require the City to modify this Job Description and that the City reserves the right to exercise its discretion to make such changes.

EMPLOYEE ACKNOWLEDGMENT: _____

DATE: _____

Recreation Center 2020
Part Time Pay Scale

CPI Increase of 1.4% or 15 cents over 2019 minimum wage.

	Position	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
RC1	Cafe Attendants	\$3.70	\$3.80	\$3.90	\$9.00	\$9.10	\$9.20	\$9.30	\$9.40	\$9.50	\$9.60	\$9.70	\$9.80	\$9.90	\$10.00	\$10.10
	Field House Attendants															
	Fitness Room Attendants															
	Office Aides															
	Program Aides															
	Recreation Aides															
	Tour Guides															
RC2		\$8.70	\$8.80	\$8.90	\$9.00	\$9.10	\$9.20	\$9.30	\$9.40	\$9.50	\$9.60	\$9.70	\$9.80	\$9.90	\$10.00	\$10.10
RC3	Counselors	\$8.70	\$8.80	\$8.90	\$9.00	\$9.10	\$9.20	\$9.30	\$9.40	\$9.50	\$9.60	\$9.70	\$9.80	\$9.90	\$10.00	\$10.10
RC4		\$8.70	\$8.80	\$8.90	\$9.00	\$9.10	\$9.20	\$9.30	\$9.40	\$9.50	\$9.60	\$9.70	\$9.80	\$9.90	\$10.00	\$10.10
RC5		\$8.70	\$8.80	\$8.90	\$9.00	\$9.10	\$9.20	\$9.30	\$9.40	\$9.50	\$9.60	\$9.70	\$9.80	\$9.90	\$10.00	\$10.10
RC6	Youth Specialists	\$8.70	\$8.80	\$8.90	\$9.00	\$9.10	\$9.20	\$9.30	\$9.40	\$9.50	\$9.60	\$9.70	\$9.80	\$9.90	\$10.00	\$10.10
RC7	Activity Leaders	\$8.70	\$8.80	\$8.90	\$9.00	\$9.10	\$9.20	\$9.30	\$9.40	\$9.50	\$9.60	\$9.70	\$9.80	\$9.90	\$10.00	\$10.10
RC8		\$8.70	\$8.80	\$8.90	\$9.00	\$9.10	\$9.20	\$9.30	\$9.40	\$9.50	\$9.60	\$9.70	\$9.80	\$9.90	\$10.00	\$10.10
RC9		\$8.70	\$8.80	\$8.90	\$9.00	\$9.10	\$9.20	\$9.30	\$9.40	\$9.50	\$9.60	\$9.70	\$9.80	\$9.90	\$10.00	\$10.10
RC10		\$8.70	\$8.80	\$8.90	\$9.00	\$9.10	\$9.20	\$9.30	\$9.40	\$9.50	\$9.60	\$9.70	\$9.80	\$9.90	\$10.00	\$10.10
RC11	Cafe Supervisor	\$8.70	\$8.80	\$8.90	\$9.00	\$9.10	\$9.20	\$9.30	\$9.40	\$9.50	\$9.60	\$9.70	\$9.80	\$9.90	\$10.00	\$10.10
	Front Desk Attendants															
	Head Counselors															
	Lead Teacher															
RC13	W/S Aide	\$9.00	\$9.10	\$9.20	\$9.30	\$9.40	\$9.50	\$9.60	\$9.70	\$9.80	\$9.90	\$10.00	\$10.10	\$10.20	\$10.30	\$10.40
RC14	Team Leaders	\$9.45	\$9.55	\$9.65	\$9.75	\$9.85	\$9.95	\$10.05	\$10.15	\$10.25	\$10.35	\$10.45	\$10.55	\$10.65	\$10.75	\$10.85
	Lifeguards															
RC15	*M/C RC Facility Attendant - Pending	\$9.72	\$9.82	\$9.92	\$10.02	\$10.12	\$10.22	\$10.32	\$10.42	\$10.52	\$10.62	\$10.72	\$10.82	\$10.92	\$11.02	\$11.12
	Office Assistant															
	W/S															
RC16	League Supervisor	\$9.98	\$10.08	\$10.18	\$10.28	\$10.38	\$10.48	\$10.58	\$10.68	\$10.78	\$10.88	\$10.98	\$11.08	\$11.18	\$11.28	\$11.38
	Reception Room Supervisor															
	Receptionist															
	Recreation Leaders															
RC17		\$10.24	\$10.34	\$10.44	\$10.54	\$10.64	\$10.74	\$10.84	\$10.94	\$11.04	\$11.14	\$11.24	\$11.34	\$11.44	\$11.54	\$11.64
RC18		\$10.35	\$10.45	\$10.55	\$10.65	\$10.75	\$10.85	\$10.95	\$11.05	\$11.15	\$11.25	\$11.35	\$11.45	\$11.55	\$11.65	\$11.75
RC19	*Building Monitor - Pending (rc1e)	\$10.51	\$10.61	\$10.71	\$10.81	\$10.91	\$11.01	\$11.11	\$11.21	\$11.31	\$11.41	\$11.51	\$11.61	\$11.71	\$11.81	\$11.91
RC20	After/ Before School Supervisor	\$10.77	\$10.87	\$10.97	\$11.07	\$11.17	\$11.27	\$11.37	\$11.47	\$11.57	\$11.67	\$11.77	\$11.87	\$11.97	\$12.07	\$12.17
	Front Desk Supervisor															
	Head Lifeguard															
	Rental Coordinator															
	Day Camp Supervisor															
RC21		\$11.03	\$11.13	\$11.23	\$11.33	\$11.43	\$11.53	\$11.63	\$11.73	\$11.83	\$11.93	\$12.03	\$12.13	\$12.23	\$12.33	\$12.43
RC22	Deck Supervisor	\$11.56	\$11.66	\$11.76	\$11.86	\$11.96	\$12.06	\$12.16	\$12.26	\$12.36	\$12.46	\$12.56	\$12.66	\$12.76	\$12.86	\$12.96
RC23	Marketing Coordinator / Travel Aide	\$12.67	\$12.77	\$12.87	\$12.97	\$13.07	\$13.17	\$13.27	\$13.37	\$13.47	\$13.57	\$13.67	\$13.77	\$13.87	\$13.97	\$14.07
RC24		\$13.13	\$13.23	\$13.33	\$13.43	\$13.53	\$13.63	\$13.73	\$13.83	\$13.93	\$14.03	\$14.13	\$14.23	\$14.33	\$14.43	\$14.53
RC25		\$13.66	\$13.76	\$13.86	\$13.96	\$14.06	\$14.16	\$14.26	\$14.36	\$14.46	\$14.56	\$14.66	\$14.76	\$14.86	\$14.96	\$15.06
RC26		\$14.18	\$14.28	\$14.38	\$14.48	\$14.58	\$14.68	\$14.78	\$14.88	\$14.98	\$15.08	\$15.18	\$15.28	\$15.38	\$15.48	\$15.58
RC27	Senior Activities Coordinator	\$14.71	\$14.81	\$14.91	\$15.01	\$15.11	\$15.21	\$15.31	\$15.41	\$15.51	\$15.61	\$15.71	\$15.81	\$15.91	\$16.01	\$16.11
RC28		\$15.23	\$15.33	\$15.43	\$15.53	\$15.63	\$15.73	\$15.83	\$15.93	\$16.03	\$16.13	\$16.23	\$16.33	\$16.43	\$16.53	\$16.63
RC29	Pool Manager A	\$15.76	\$15.86	\$15.96	\$16.06	\$16.16	\$16.26	\$16.36	\$16.46	\$16.56	\$16.66	\$16.76	\$16.86	\$16.96	\$17.06	\$17.16
RC30	Pool Manager B	\$16.28	\$16.38	\$16.48	\$16.58	\$16.68	\$16.78	\$16.88	\$16.98	\$17.08	\$17.18	\$17.28	\$17.38	\$17.48	\$17.58	\$17.68
RC31		\$16.81	\$16.91	\$17.01	\$17.11	\$17.21	\$17.31	\$17.41	\$17.51	\$17.61	\$17.71	\$17.81	\$17.91	\$18.01	\$18.11	\$18.21
RC32		\$17.86	\$17.96	\$18.06	\$18.16	\$18.26	\$18.36	\$18.46	\$18.56	\$18.66	\$18.76	\$18.86	\$18.96	\$19.06	\$19.16	\$19.26
RC33	W/S / LITS Private Lessons	\$18.00	\$18.10	\$18.20	\$18.30	\$18.40	\$18.50	\$18.60	\$18.70	\$18.80	\$18.90	\$19.00	\$19.10	\$19.20	\$19.30	\$19.40
	Group Exercise Instructor A															
	W/S / LITS Semi-Private Lessons	\$22.00	\$22.10	\$22.20	\$22.30	\$22.40	\$22.50	\$22.60	\$22.70	\$22.80	\$22.90	\$23.00	\$23.10	\$23.20	\$23.30	\$23.40
RC34	Group Exercise Instructor B	\$22.00	\$22.10	\$22.20	\$22.30	\$22.40	\$22.50	\$22.60	\$22.70	\$22.80	\$22.90	\$23.00	\$23.10	\$23.20	\$23.30	\$23.40

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10-7-19

REQUEST FOR COUNCIL ACTION

No. RCA 19-184-10/15

FROM: NINO PICCOLI SERVICE DIRECTOR

Finance Only

DATE: October 1, 2019

SUBJECT: EXPENDITURE APPROVAL

SUMMARY AND BACKGROUND:

Respectfully requesting Council's authorization for a Purchase Order in the amount of \$24,000.00 with Chippewa Roofing, LLC. This expenditure will be used for the cost for the roof replacement on the remaining three sections of the roof on the Medina Municipal Court Building. This project includes the removal and disposal of the roof gravel, removal and disposal of the three sections of roof to be replaced. The new roof will involve insulation placement and fully adhered EPDM Rubber Roof.

Suggested Funding: TBD

- Sufficient funds in Account No.
- Transfer needed from Account No. to Account No.
- NEW APPROPRIATION needed in Account No.

Emergency Clause Requested: NO
Reason:

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord./Res.
Date:

REQUEST FOR COUNCIL ACTION

No. RCA 19-185-10/15
Committee: Finance

FROM: Lori Bowers
DATE: October 8, 2019
SUBJECT: Amend ORD 114-19 Accounts

SUMMARY AND BACKGROUND:

The Finance Department respectfully requests Council to amend ORD 114-19 to reflect correct accounts:

Amend Sec. 4

Change account from 301-0707-54412

to:

301-0725-54412: \$2,714,000

109-0725-54412: \$1,000,000

Suggested Funding: See above.

Sufficient Funds in Account No:

- 301-0725-54412
- 109-0725-54412

Emergency Clause Requested: No
Reason:

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord./Res.
Date:

ORDINANCE NO. 114-19

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A DESIGN-BUILD CONTRACT WITH CPS CONSTRUCTION, INC. FOR DESIGN AND CONSTRUCTION OF A CITY HALL PARKING STRUCTURE, AND DECLARING AN EMERGENCY.

WHEREAS: Pursuant to the City's home rule authority under Section 3 of Article XVIII of the Ohio Constitution and the City's Charter, this Council enacted Ordinance Nos. 52-18 and 53-18, passed March 26, 2018, authorizing the Public Bidding Procedure and Requests for Qualifications (RFQ's) for a Criteria Developer for a design-build process for a public parking structure; and

WHEREAS: After review of the proposals including consultant interviews, Ordinance No. 134-18, passed September 10, 2018, authorized Desman Associates to be the most qualified Criteria Developer because they demonstrated substantial experience in parking deck design and construction oversight including working for governmental agencies as a Criteria Developer; and

WHEREAS: Desman Associates assisted the City in preparing a request for qualifications from Design Build Teams interested in performing this work and assisted in reviewing the qualification statements and determining which Design Build Teams were qualified to submit a proposal for this work; and

WHEREAS: On July 8, 2019, the three pre-qualified Design Build Teams submitted price and technical proposals; and

WHEREAS: Following extensive review and evaluation by the Selection Committee, CPS Construction, Inc. was recommended as the Design Builder for the project; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That pursuant to the home rule authority of the City under Section 3 of Article XVIII of the Ohio Constitution and the City's Charter, the Mayor is hereby authorized and directed to execute a Design-Build Contract with CPS Construction, Inc. for the design and construction of a public courthouse parking structure.

SEC. 2: That a copy of the Design-Build Contract referred to in Section 1 above is marked Exhibit A and attached hereto; said Contract and all of its parts are incorporated herein; the Contract is subject to final approval of the Medina City Law Director; and to the extent this Contract's terms may deviate from state law, the terms of this

Contract shall govern.

SEC. 3: That by this Ordinance, this Council again confirms the design-build process for the project which is the subject of the Contract authorized in Section 1 above and the process employed by the City to advertise and award the aforesaid Contract; and this Council finds that said process of advertisement and award of the Contract and the design-build process for this public improvement project is in the best interests of the City.

SEC. 4: That the funds to cover this contract, in the amount of \$3,714,000.00, are available in Account No. 301-0707-54412.

SEC. 5: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 6: That this Ordinance shall be considered an emergency measure necessary for furtherance of the public health, safety and general welfare of the inhabitants and visitors to the City in order to provide necessary and safe off-street parking to the public to further the interests of the City of Medina, at the earliest possible time; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: July 31, 2019

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: August 1, 2019

SIGNED: Dennis Hanwell
Mayor

*e K Hansen
10-8-19*

REQUEST FOR COUNCIL ACTION

NO. PCA 19-186-10/15

FROM: Patrick Patton

DATE: October 8, 2019



COMMITTEE REFERRAL: Finance

SUBJECT: Dedication Plat for Commerce Drive

This request is for Council's acceptance and approval of the dedication plat for the section of Commerce Drive between Branch Road and West Liberty Street (SR 18). This plat was approved by the City's Planning Commission at their September meeting.

As discussed previously with Council, this plat also subdivides the City owned property on each side of Commerce Drive to create three new parcels:

1. City lot #9105: 55.2070 acres on the west side of Commerce Drive abutting West Liberty Street.
2. City lot #9106: 4.9791 acres on the west side of Commerce Drive near Branch Road
3. City lot #9107: 36.1792 acres on the east side of Commerce Drive

Thank you for your consideration.

ESTIMATED COST: There will be a nominal cost to record the plat at the Medina County Recorder's office.

SUGGESTED FUNDING:

Sufficient Funds in Account Number:

Transfer Needed From:
To:

New Appropriation:

Emergency Clause Requested: No

Reason:

COUNCIL USE ONLY:

COMMITTEE RECOMMENDATION:

Council Action Taken:

Ord./Res. Number:

Date:

**STREET DEDICATION PLAT
DEDICATING COMMERCE DRIVE
& CREATING NEW MEDINA CITY LOTS
9105, 9106 & 9107**

KNOWN AS BEING A REPLAT OF MEDINA CITY LOTS 8705 & 9100
IN THE CITY OF MEDINA, COUNTY OF MEDINA & STATE OF OHIO

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND ON THIS PLAT, THAT THE PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED, THAT THE SURVEY BALANCES AND CLOSES, THAT ALL DIMENSIONAL AND GEODETIC DETAILS ARE CORRECT, AND THAT THE MONUMENTS SHOWN THEREON EXIST OR SHALL BE SET AS SHOWN.

This document was originally signed by Douglas S. Jewel on August 13, 2016.
This document is not considered a recorded document.

DOUGLAS S. JEWEL, OHIO PROFESSIONAL SURVEYOR S-8007 DATE _____

PLANS PREPARED BY:

CUNNINGHAM & ASSOCIATES, INC.
CIVIL ENGINEERING AND SURVEYING
203 W. LIBERTY ST. MEDINA, OHIO 44256 (330) 725-5980

ACCEPTANCE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT THE CITY OF MEDINA, BY DENNIS HANWELL, MAYOR, OWNER OF THE LANDS EMBRACED WITHIN THIS SUBDIVISION HEREBY ACKNOWLEDGE THIS PLAT AND SUBDIVISION TO BE MY FREE ACT AND DEED AND DO HEREBY DEDICATE TO PUBLIC USE FOREVER THE STREETS AS SHOWN AND GRANT EASEMENTS AS SHOWN ACCORDING TO THE LEGEND BELOW. I CERTIFY THAT THERE ARE NO DELINQUENT TAXES OR ASSESSMENTS AGAINST THE LANDS WITHIN THIS SUBDIVISION.

DENNIS HANWELL, MAYOR _____ DATE _____

COUNTY OF MEDINA }
STATE OF OHIO } S.S.

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED DENNIS HANWELL, MAYOR, WHO ACKNOWLEDGED THE MAKINGS OF THE FOREGOING INSTRUMENT, AND THE SIGNING OF THIS PLAT TO BE HIS OWN FREE ACT AND DEED, AND THAT HE HEREBY HAS HAVE HERETO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT _____ OHIO ON THIS _____ DAY OF _____ 20____.

NOTARY PUBLIC _____
MY COMMISSION EXPIRES _____



APPROVALS

THIS PLAT APPROVED THIS _____ DAY OF _____ 20____
BY THE CITY OF MEDINA PLANNING COMMISSION.

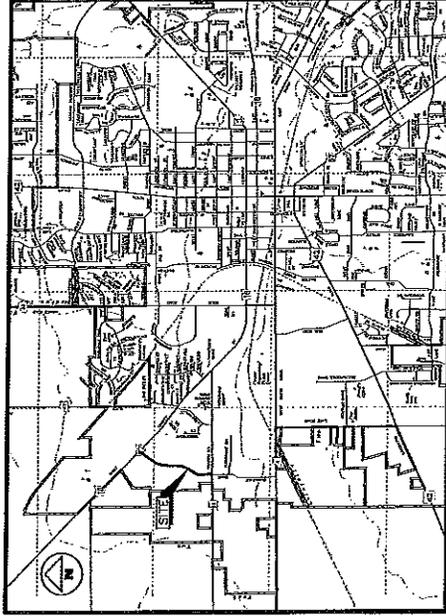
SECRETARY _____
THIS PLAT WAS DULY ACCEPTED BY ORDINANCE NO. _____ OF MEDINA CITY COUNCIL AT A REGULAR MEETING HELD ON THE _____ DAY OF _____ 20____.

PRESIDENT OF COUNCIL _____ CLERK OF COUNCIL _____
APPROVED FOR TRANSFER THIS _____ DAY OF _____ 20____

TAX MAP DRAFTSMAN _____
RECEIVED FOR TRANSFER THIS _____ DAY OF _____ 20____

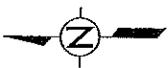
MEDINA COUNTY AUDITOR _____
RECEIVED AND RECORDED THIS _____ DAY OF _____ 20____
AT _____ A.M./P.M. _____
RECORDED IN PLAT DOCUMENT NO. _____
FEE: \$ _____

_____ MEDINA COUNTY RECORDER



LOCATION MAP

ACREAGE	
CITY LOTS (3)	96.3653 Ac.
DEED STREET	6.3942 Ac.
TOTAL	101.7595 Ac.

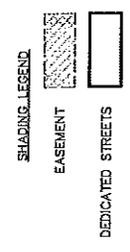


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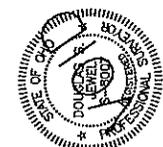
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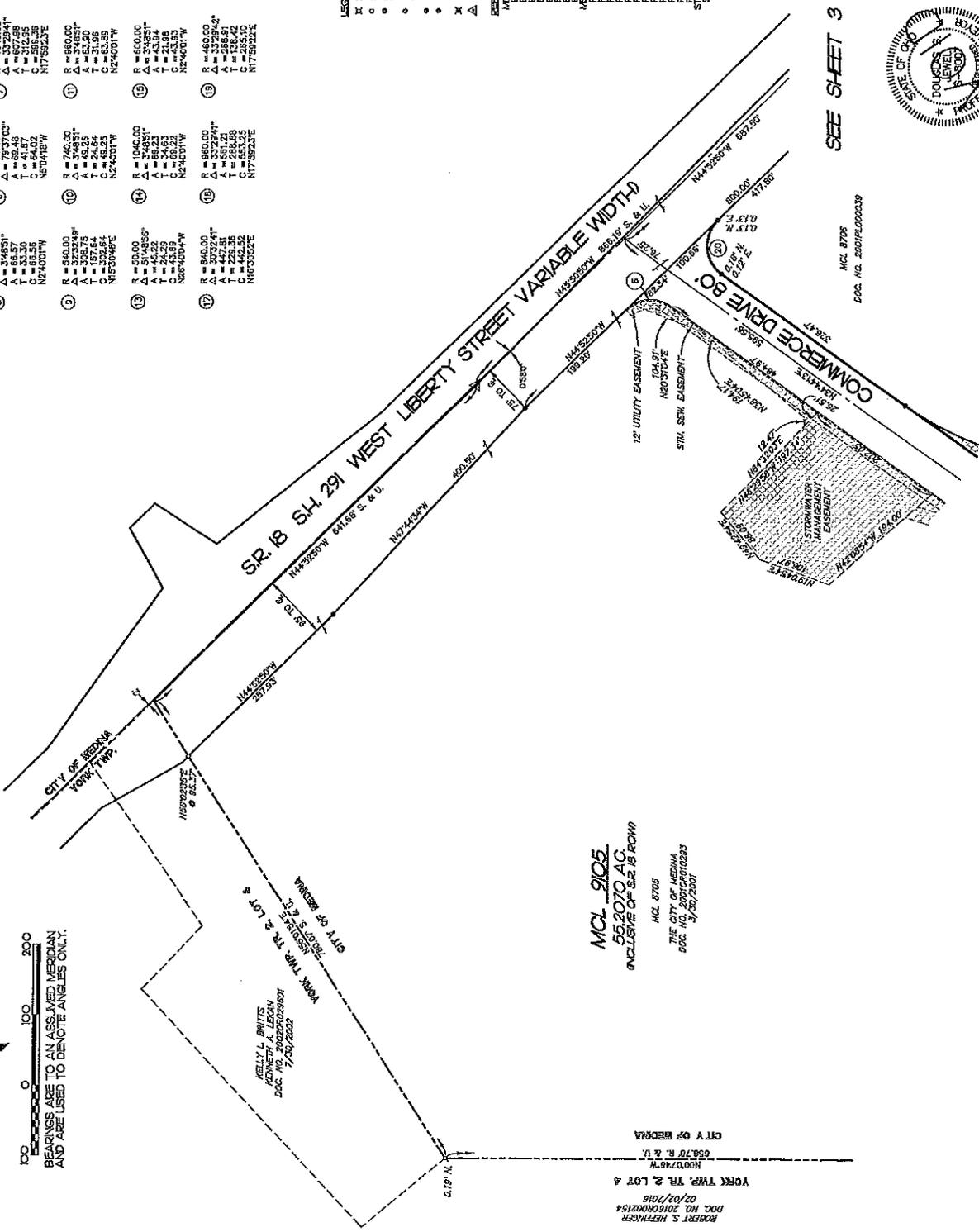
- REFERENCE**
- MEDINA COUNTY ENGINEERS SURVEY RECORDS
- BOOK 1, PAGE 171
 - BOOK 2, PAGE 284
 - BOOK 2, PAGE 285
 - BOOK 2, PAGE 286
 - BOOK 2, PAGE 287
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SEE SHEET 3



STREET DEDICATION PLAT
 DEDICATING COMMERCE DRIVE
 PROJECT NO. H03 SHEET 2 OF 4



MCL 9105
 552070 AC.
 INCLUSIVE OF SR. 18 ROW
 MCL 8705
 THE CITY OF MEDINA
 DOC. NO. 20018000033
 4/20/2001

ROBERT S. HERTZINGER
 02/01/2018
 DOC. NO. 20180002154

REQUEST FOR COUNCIL ACTION

*OK
D. Hanney
10-9-19*

No. RCA 19-187-10/15

FROM: NINO PICCOLI SERVICE DIRECTOR

DATE, October 8, 2019

SUBJECT: EXPENDITURE APPROVAL

SUMMARY AND BACKGROUND:

Respectfully requesting Council's authorization to increase the Purchase Order for Lake County Sewer Co. from \$15,000 to \$65,000.00. The original Purchase order was approved by the Board of Control for \$15,000.00. This increase will allow the Street department to continue the necessary repairs on the City Storm sewer system.

Suggested Funding:

- Sufficient funds in Account No. 102-0620-53319
- Transfer needed from Account No. _____ to Account No. _____
- NEW APPROPRIATION needed in Account No. _____

Emergency Clause Requested: NO
Reason:

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord./Res.
Date: