

**CITY OF MEDINA
AGENDA FOR COUNCIL MEETING**

May 13, 2019
Medina City Hall
7:30 p.m.

Call to Order.

Roll Call.

Reading of minutes. (April 22, 2019 & April 24, 2019-Special Mtg.)

Reports of standing committees.

Requests for council action.

Reports of municipal officers.

Notices, communications and petitions.

Liquor Permit:

Not to object to the issuance of a D2 permit to Grab N Go Firewood LLC, dba Grab N Go Beverage & Market, 236 N. State Rd.

Unfinished business.

Introduction of visitors.

(speakers limited to 5 min.)

Introduction and consideration of ordinances and resolutions.

Res. 74-19

A Resolution authorizing the adoption of the Medina County 2019 All Hazard and Flood Mitigation Plan Update.

Ord. 75-19

An Ordinance amending Section 31.02(E) of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Salary Schedule pertaining to Lifeguards at the Medina Community Recreation Center.
(emergency clause requested)

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Ord. 76-19

An Ordinance amending Section 903.01 (b)(3) of the codified ordinances of the City of Medina, Ohio relative to repair and reconstruction of Red Brick Streets.

Ord. 77-19

An Ordinance amending Ordinance No. 195-18, passed December 10, 2018. (Amendments to 2019 Budget)

Council comments.

Adjournment.

MEDINA CITY COUNCIL
Monday, April 22, 2019

Opening:

Medina City Council met in regular, open session on Monday, April 22, 2019. The meeting was called to order at 7:30 p.m. by President of Council John Coyne. Fifth graders from Ella Canavan who won the MCPAL Basketball Championship led in the Pledge of Allegiance.

Roll Call:

The roll was called with the following members of Council present D. Simpson, B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose and J. Shields.

Also present were the following members of the Administration: Mayor Dennis Hanwell, Keith Dirham, Greg Huber, Patrick Patton, Nino Piccoli, Chief Kinney, Chief Painter, Dan Gladish, Mike Wright, Kimberly Marshall, Jonathon Mendel.

Minutes:

Mr. Shields moved that the minutes from the regular meeting on Monday, April 8, 2019 as prepared and submitted by the Clerk be approved. The roll was called and the motion passed by the yeas of B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields and D. Simpson.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated the Finance Committee met prior to the Council meeting this evening and will meet again in three weeks.

Health, Safety & Sanitation Committee: Mr. Simpson had no report, stated he has a Fire District meeting scheduled for tomorrow night at 4:30 p.m. in the Multi-Purpose Room, downstairs.

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb stated last Monday, he met with Girl Scout Troop #91646 from Ella Canavan to discuss issues related to reducing solid waste and single use plastic bags, a project that they are working on because the average family in the United States uses 1,500 bags a year. Once it goes to the landfill, it takes between 500 and 1,000 years to break down. Mr. Lamb also stated they have completed the LGTBQ legislation that they have been working on and discussing now for many months, and he will be scheduling a meeting in the near future.

Streets & Sidewalks Committee: Mr. Heffinger had no report.

Water & Utilities Committee: Mr. Starcher had no report.

Emerging Technologies Committee: Mr. Rose had no report and is working on scheduling a meeting for the 19th of June to discuss the new options they may have for utilizing the Medina County Fiber Loop.

Requests for Council Action:

Finance Committee

19-077-4/22 – Budget Amendment

19-078-4/22 – Repay Advance – Bicentennial to JEDD Fund

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- 19-079-4/22 – Grant Application – MCDAC – Police
- 19-080-4/22 – Advance Request
- 19-081-4/22 – 2018 Carryforward Appropriation
- 19-082-4/22 – Adopt 2019 Medina County All Hazards & Flood Mitigation Plan
- 19-083-4/22 – Amend S&B Code, MCRC Lifeguard Pay Rate
- 19-084-4/22 – Plat of Survey to create parcel at 625 Bowman Lane
- 19-085-4/22 – City Hall Parking Structure – Discussion of Design Build Proposals

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported

- 1) Parking Deck - Construction of parking deck south of Medina City hall will commence this May. Parking will be very limited at Medina City Hall and lot between Sully's patio and Porter's Shoes. Available long term lots are at the southeast corner of West Liberty and South Elmwood; lot on west side of 200 block of South Elmwood (between Smith and Washington); as well as at the existing parking deck behind Common Pleas Courts. The project will last from May to likely December.
- 2) Medina County Fiber to the home is taking place in Seville as well as Guilford and Westfield Townships. Build out will take about 18 months. Plan is to continue to install in Medina County with projected completion in five years. Demand and prioritization will be based on consumer surveys requesting the services. To take the survey, go to www.medinafiber.com ; must enter address first; then an option to take survey will show up. This proposed project will bring much needed competition for internet, TV and phone services to our community. Broadband Neighborly is partnering with iFiber on this project and Medina County is an attractive market due to the publicly owned fiber ring already in place in our county due to investments by Medina County, and the cities of Brunswick, Medina, and Wadsworth.
- 3) Medina's American Legion Post 202 will be Honor Guard and present flags at Progressive Field Friday, May 3rd, at 7 p.m. A well-deserved honor.
- 4) Ladies Night Out is Thursday, May 9th from 5 p.m. – 8:30 p.m. at Public Square Businesses.
- 5) Farmer's Markets - Saturdays starting May 18th from 9 a.m. – 1 p.m. on Public Square.
- 6) Proclamation for Kathy Patton in recognition of the 50th Anniversary of Municipal Clerk's Week.

Keith Dirham, Finance Director, reported that budgets have started for 2020 to 2024. Keith will speak on the EMS Levy when they get to it.

Greg Huber, Law Director, had no report.

Chief Kinney, Police Department, recognized some exceptional 5th graders from Ella Canavan That participated in the MCPAL March Madness Tournament and they prevailed and are the champions and were coached to that championship by Mr. Shields our Councilman here. MCPAL stands for Medina County Police Activities League and has been in existence for many years and is administered by Chief Grice from Montville Police Department.

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Chief Grice stated he appreciated everyone's partnership and stated that Mr. Starcher is also a member of the PAL family, but unfortunately he wasn't able to bring a championship home. Council back in September was generous enough to help MCPAL with the purchase of two vans and those help us get the participants to and from the games. Championship T-shirts were handed out to the participants.

Mr. Shields thanked the Mayor because he and Officer Thomas were the first to bring MCPAL to Medina. Jim is very thankful to have this program here in Medina because it really does make a difference.

Kimberly Marshall, Economic Development Director, reported the next City of Medina Economic Development Committee meeting is scheduled for Tuesday, May 7th at the Medina County Administration Building starting at 8 a.m. The City has been trying to find a way to form an Energy Special Improvement District and the idea is we are going to hopefully partner with the County on the formation of this district that will allow our businesses in the community throughout the county to apply for PACE financing which is Property Assess Clean Energy basically allows businesses to fund energy efficiency improvements through assessment on their property taxes. If we form this district, there would be a Board of 3 County seats and 2 City seats. Legislation will be required from City Council.

April 26th for ribbon cuttings or Grand Openings starting at 235 W. Liberty St. for MDL Logistics, 11 a.m. Best Nails and Spa at 895 N. Court St. and 1 p.m. HER Relators of Medina at 445 W. Liberty St.

Jonathan Mendel, Planning Community Director, had no report.

Chief Painter, Fire Department, had no report.

Mike Wright, Recreation Center Director, reported that the schools have contracted with a paving company to repair areas at the front entrance of the rec parking lot and other problem areas. This will be completed after school lets out.

We have also contracted with a roofing company to do the roof replacement over our Field House and our pools, which may begin as soon as May and run through the middle of August. This may require the pools to be closed longer than the usual 5 day shutdown at the end of July, but we will post those dates as we are updated on the project.

The Baggataway is this weekend along with a craft show (rental) in the Field House so parking will be very hard to find.

The next scheduled Rec Advisory Board meeting will be on Thursday, May 16th, at 7:30 a.m. at the recreation center.

Jansen Wehrley, Parks and Recreation Director, Absent.

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Dan Gladish, Building Official, had no report.

Patrick Patton, City Engineer, Patrick reminded residents that the West Smith Road Reconstruction Project will start in the next one to two weeks. There will be traffic impacts during the construction process.

Nino Piccoli, Service Director, had no report.

Notices, Communications and Petitions

There were none.

Unfinished Business:

There were none.

Introduction of Visitors:

Tammy Kirby – resides at 246 W. Friendship, spoke of the 5K Historic Hustle taking place on Saturday at 9 a.m. at the intersection of N. Elmwood and West Friendship.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 063-19:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the Lafayette Road Sidewalks Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 063-19, seconded by Mr. Simpson. Mr. Patton stated this project will install sidewalks on the south side of Lafayette from approximately South Elmwood to Oak Street. This project is being primarily paid for through a CDBG grant. The roll was called and Ordinance/Resolution No. 063-19 passed by the yea votes of J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson and B. Starcher.

Ord. 064-19

An Ordinance authorizing the Mayor to execute a Real Estate Purchase Agreement with the Medina County Board of Commissioners for the purchase of three (3) parcels of vacant land, located on S. Elmwood Avenue, Medina, Ohio. Mr. Shields moved for the adoption of Ordinance/Resolution No. 064-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 064-19, seconded by Mr. Simpson. Mayor Hanwell stated this is the parking lot that was referred to across from the old Napa in the 200th block of S. Elmwood St. The County doesn't have a use for it. We have used it for public parking for years. The County will remove the 3 recycle bins from the lot. The reason for the emergency clause is the County is interested in purging it from their books as quickly as possible and the City is going to be in need of additional parking. The roll was called on adding the emergency clause and was approved by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne and E. Heffinger. The roll was called and Ordinance/Resolution No. 064-19 passed by the yea votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher and J. Coyne.

Res. 065-19:

A Resolution declaring it necessary to levy a renewal of an existing tax of 2.2 mills with an increase of 1 mill in excess of the ten mill limitation for the operation of an Ambulance and Emergency Medical Service. Mr. Shields moved for the adoption of Ordinance/Resolution No. 065-19, seconded by Mr. Simpson. Mr. Dirham stated the EMS Fund is collecting the same levy that has been collected for 20 years since it was originally passed. We don't get increases on property taxes so that amount that is collected now is actually less than it was a number of years ago because of the roll back of the personal property tax. Consequently, we need more money to operate the EMS and are going to ask the voters for a renewal and increase. The reason we have structured this in this way is by doing the renewal we maintain a reimbursement that the State is phasing out on new tax levies, so we are saving the tax payers money by keeping that on the renewal portion but then we need an increase in addition to that. Keith stated they did a cable TV presentation on what the money is needed for, and it will be on in the near future. Mr. Starcher encouraged residents to vote for this levy, the LST – Life Support Team does such a fantastic job for this city and the surrounding townships, and he feels it is money well worth spent. The roll was called and Ordinance/Resolution No. 065-19 passed by the yea votes of P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne, E. Heffinger and B. Lamb.

Ord. 066-19:

An Ordinance amending the Salary and Benefits Code Section 31.07 by adopting and accepting the revised job descriptions as approved and presented by the Civil Service Commission. Mr. Shields moved for the adoption of Ordinance/Resolution No. 066-19, seconded by Mr. Simpson. Mr. Huber stated this ordinance changes the job descriptions and puts the physical requirements of Medina City jobs into the sub-heading Essential Job Tasks so that there is no question about the fact that the physical requirements are considered to be essential job tasks. The roll was called and Ordinance/Resolution No. 066-19 passed by the yea votes of J. Shields, D. Simpson, B. Starcher J. Coyne, E. Heffinger, B. Lamb and P. Rose.

Ord. 067-19:

An Ordinance authorizing the Mayor to enter into an Agreement and Contract with Ohio Edison in order to allow the removal and relocation of several utility poles on City owned property for the planned City Hall Parking Structure Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 067-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 067-19, seconded by Mr. Simpson. Mr. Patton stated that two of these poles need removed and 3 will be relocated in order to allow us to construct the parking deck. Mr. Coyne will abstain since his law firm generally represents Ohio Edison. The roll was called on adding the emergency clause and was approved by the yea votes of B. Starcher, E. Heffinger, B. Lamb, P. Rose, J. Shields and D. Simpson. J. Coyne abstained. The roll was called and Ordinance/Resolution No. 067-19 passed by the yea votes of D. Simpson, B. Starcher, E. Heffinger, B. Lamb, P. Rose and J. Shields. J. Coyne abstained.

Ord. 068-19:

An Ordinance amending Ordinance No. 195-18, passed December 10, 2018. (Amendments to 2019 Budget) Mr. Shields moved for the adoption of Ordinance/Resolution No. 068-19, seconded by Mr. Simpson. Mr. Dirham stated what was included in this is some money that was

unspent in 2018 for painting water tanks inside. There is a donation that needs to be passed through, then there is police training funds spending on a vehicle that we need to appropriate, there is repayment of an advance and then the last four deal with the parking deck. The roll was called and Ordinance/Resolution No. 068-19 passed by the yea votes of J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson and B. Starcher.

Ord. 069-19:

An Ordinance amending Ordinance No. 195-18, passed December 10, 2018. (Amendments to 2019 Budget – 2018 Carryforward) Mr. Shields moved for the adoption of Ordinance/Resolution No. 069-19, seconded by Mr. Simpson. Mr. Dirham stated this is money from the 2018 budget and appropriated back to the 2019 budget. The roll was called and Ordinance/Resolution No. 069-19 passed by the yea votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher and J. Coyne.

Ord. 070-19:

An Ordinance authorizing the Finance Director to make certain fund advances. Mr. Shields moved for the adoption of Ordinance/Resolution No. 070-19, seconded by Mr. Simpson. Mr. Dirham stated there are two advances contemplated in this ordinance and the first one is a \$1 million dollar advance from the General Fund to the Grant Fund for the grant portion of the parking deck. As you know we have a grant for \$1 million dollars, but we have to spend the money first so we are advancing the money to the fund to spend it and once it's spent we will ask for reimbursement and then repay it. The other advance is actually a repayment. It's money that we had advanced to the Bicentennial Fund. The roll was called and Ordinance/Resolution No. 070-19 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne and E. Heffinger.

Res. 071-19:

A Resolution authorizing the Mayor to file an application for grant assistance with the Medina County Drug Advisory Commission (MCDAC) for a grant to increase enforcement of illegal narcotics transportation and trafficking. Mr. Shields moved for the adoption of Ordinance/Resolution No. 071-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 071-19, seconded by Mr. Simpson. Chief Kinney stated they are requesting permission to apply for the Medina County Drug Advisory Committee Grant in the amount of \$142,802 and this will go to support the K9 Unit. Requesting the emergency clause as the grant application is due May 3rd. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose and J. Shields. The roll was called and Ordinance/Resolution No. 071-19 passed by the yea votes of P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne, E. Heffinger and B. Lamb.

Add to Agenda:

Mr. Shields moved to add Ord. 072-19 to the agenda, seconded by Mr. Simpson. The roll was called and Ordinance 072-19 was added to the agenda by the yea votes of J. Shields, D. Simpson, B. Starcher J. Coyne, E. Heffinger, B. Lamb and P. Rose.

Ord. 072-19:

An Ordinance to reject all design build proposal submitted bids for Parking Facility Project adjacent to Medina City Hall. Mr. Shields moved for the adoption of Ordinance/Resolution No. 072-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 072-19, seconded by Mr. Simpson. Mr. Huber stated they are going to reset what it is that they are going to do in terms of the foot print for the parking deck, at least re-engage a discussion of that based upon what has occurred thus far, and for that reason we need to reject the bids that came in at this point. Emergency is requested due to being under a time constraint and need to get the project started as soon as we are able we have a grant that has a time limit on it and we are pushing that time limit at this point. The roll was called on adding the emergency clause and was approved by the yea votes of B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields and D. Simpson. The roll was called and Ordinance/Resolution No. 072-19 passed by the yea votes of D. Simpson, B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose and J. Shields.

Council Comments:

Mr. Heffinger stated on May 7th there will be a Ward 3 & Ward 4 meeting held at Ella Canavan Elementary School at 7 p.m. If you want to come out and ask questions and talk about the community. He also reminded residents that the Farmer's Market is starting up and Members of City Council and the Administration will be there every other week starting May 11th. Eric will be there first with Mr. Nino Piccoli.

Mr. Starcher spoke of the Water Tower District 5K this Saturday morning, and hopes to see a lot of people there.

Mr. Simpson spoke of this time of the year where everyone is getting ready to mow their lawns and reminded city residents that they are not permitted to blow their grass clippings into the streets because that gets into our storm sewer system and causes a lot of problems.

Mr. Shields thanked Patrick Patton for the sidewalk program on Lafayette Road, he has lived in Ward 4 his entire life and remembers he wasn't allowed to have a paper route that he wanted because there was no sidewalks on Lafayette Road when he was a kid. Jim stated and here we are 40 years later, although there aren't really paper routes anymore, he does appreciate getting sidewalks.

Mr. Rose congratulated Kathy Patton on her Proclamation for Municipal Clerk recognition and stated it takes a good person like her to keep Council in line and realizes it's like herding cats sometimes but she does an excellent job. Mr. Rose reminded residents to please clean up after your dogs.

Mr. Lamb stated he had the opportunity to go through the renovation restoration of the Farmers Exchange recently and it was such an eye-popping experience to see the transformation.

Mr. Coyne mentioned the next budget meeting on Wednesday, April 24, 2019 at 5:00 p.m. and

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that there will also be a Special Council Meeting that evening to discuss the parking facility and the new parameters that will be submitted for the request for proposals.

Adjournment:

There being no further business before Council, the meeting adjourned at 8:08 p.m.

Kathy Patton, CMC - Clerk of Council

John M. Coyne, President of Council

MEDINA CITY COUNCIL

Wednesday, April 24, 2019 – Special Council Meeting

Opening:

Medina City Council met in special open session on Wednesday, April 24, 2019. The meeting was called to order at 5:00 p.m. by President of Council John Coyne.

Roll Call:

The roll was called with the following members of Council present: J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson and B. Starcher.

Also present were members of the Administration: Barbara Dzur, Judge Werner, Jonathan Mendel, Greg Huber, Mayor Hanwell, Dan Gladish, Nino Piccoli, John Lengacher, Patrick Patton, Kimberly Marshall.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 73-19

An Ordinance authorizing the Mayor to solicit Design-Build Proposals for a Parking Facility adjacent to Medina City Hall. Mr. Shields moved to approve Ord. 73-19, seconded by Mr. Simpson. Mr. Coyne stated that the discussions they've had, we rejected all of the previous bids of the parking facility from the three invited companies to submit proposals for the design-build for the parking deck. We now have to go out and re-bid them. This evening we need to talk about is how and if and what do we want to use for the parameters of the new bid specifications. First we have to determine the orientation of the deck, do we want north-south, east-west or leave it wide open. Mr. Lamb feels we should open it up to all property (either orientation), specify number of parking spaces (minimum of 200), and state that we would like brick to compliment aesthetically, and an option to have surface spaces outside of City Hall. The rest of Council generally agreed with these guidelines. Much discussion continued on design. Kimberly Marshall gave an update on the TIF Analysis updates - she updated the tax rates and the timing of the cash flow is based on the development time table. With the east-west configuration parking deck that gave us that additional future space is about a 68% larger development site. By removing the three townhomes as part of the original site that had a market value of \$450,000 which equated to \$185,000 in TIF revenue over the 30 year period (with the new tax rates). So if the townhome project goes away, we would be losing \$185,000 in TIF revenue over 30 years. However, by increasing the North Liberty site project by the 68%, we gain approximately \$587,540 in TIF revenue, so that is a net gain. The feasibility study looked at the potential upside to shifting the plan from removing the townhome project on N. Elmwood and having a larger development site on Liberty. We have to keep in mind that we really don't know what could develop at that site. The benefit to the larger site allows the developer for more flexibility in what they could propose to do with the site. Mr. Coyne went over what the consensus of council was and what the requirements for scoring will be. Mr. Patton pointed out that if you want more brick you have to understand what the budget is. Mr. Huber stated that he and Atty. Beck discussed this and recommend that Council re-bid this, set your footprint and ask for bids that are both north-south and east-west. Put in the Bid Spec that you want 200 spaces and you emphasize the aesthetic of additional brick. The idea is be clear on what you want so everyone is shooting at something specific. Council agreed they don't want to hold the property for the municipal court if needed. It was decided that for the next bid review that 2 members of council and 5 others would make up the scoring committee. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 73-19, seconded by Mr. Simpson. The roll was called on adding the emergency clause and was approved by the yea votes of E. Heffinger, B. Lamb, P. Rose, J. Shields,

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D. Simpson, B. Starcher and J. Coyne. The roll was called and Ordinance/Resolution No. 73-19 passed, subject to the Law Director's final approval by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne and E. Heffinger.

Executive Session: (land acquisition)

Mr. Shields moved to enter into executive session at 5:57 p.m. to consider the purchase of property for public purposes or the sale of property at competitive bidding because premature disclosure would give an unfair competitive or bargaining advantage to a person who's personal, private interest is adverse to the general public interest, to include the Mayor, Law Director. The roll was called and motion was approved by the yea votes of J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson and B. Starcher.

Council exited executive session at 6:05 p.m.

Adjournment:

The Special Council meeting reconvened at 6:05, and there being no further business, adjourned at 6:05 p.m.

Teresa Knox - Acting Clerk of Council

John M. Coyne, President of Council

RESOLUTION NO. 74-19

**A RESOLUTION AUTHORIZING THE ADOPTION OF THE
MEDINA COUNTY 2019 ALL HAZARD AND FLOOD
MITIGATION PLAN UPDATE.**

WHEREAS: Resolution No. 266-05, passed December 12, 2005, adopted the Medina County All Hazards and Flood Mitigation Plan approved by the Federal Emergency Management Agency (FEMA); and

WHEREAS: It is necessary for the plan to be updated every 5 years.

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

SEC. 1: That the 2019 Medina County All Hazard and Flood Mitigation Plan Update is hereby adopted.

SEC. 2: That a copy of the 2019 Medina County All Hazards and Flood Mitigation Plan is on file in the office of the Medina County Office of Emergency Management & Homeland Security.

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 Resolution shall be in full force and effect at the earliest period allowed by law.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

Effective date –

ORDINANCE NO. 75-19

AN ORDINANCE AMENDING SECTION 31.02(E) OF THE SALARIES AND BENEFITS CODE OF THE CITY OF MEDINA, OHIO RELATIVE TO THE SALARY SCHEDULE PERTAINING TO LIFEGUARDS AT THE MEDINA COMMUNITY RECREATION CENTER, AND DECLARING AN EMERGENCY.

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

SEC. 1: That Section 31.02(E) of the Salaries and Benefits Code of the City of Medina shall amended by increasing the lifeguard pay rate from an RC9 to an RC14.

SEC. 2: That a copy of the amended pay scale 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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and to not disrupt pool operations for the 2019 season; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

ORDINANCE NO. 76-19

**AN ORDINANCE AMENDING SECTION 903.01(B)(3) OF THE
CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO
RELATIVE TO REPAIR AND RECONSTRUCTION OF RED
BRICK STREETS.**

WHEREAS: It is necessary to amend the procedures for determining how to pay for the costs of repair and/or reconstruction of red brick streets in the City of Medina.

WHEREAS: That Section 903.01 (b)(3) of the codified ordinances of the City of Medina, Ohio presently reads as follows relative to Red Brick Streets:

903.01 CLASSIFICATION BY WIDTH AND STRENGTH.

(b) Classification by Strength of Streets.

(1) Class I Streets (8 inches). In all streets, or sections of streets, where wheel loads in excess of 8,000 pounds are frequent, the pavement to be constructed or reconstructed therein shall be a minimum of eight inches in thickness with steel reinforcement and proper subsurface drainage, in accordance with the standards of the City, and shall be designated as Class I Streets.

(2) Class II Streets (7 inches). In all streets or sections of streets, where wheel loads in excess of 8,000 pounds are infrequent the pavement to be constructed or reconstructed therein shall be of concrete meeting the requirements of the City specifications, and shall be a minimum of seven inches in thickness with steel reinforcement and proper subsurface drainage in accordance with the standards of the City, and shall be designated as Class II Streets.

(Ord. 11-93. Passed 1-25-93.)

(3) Red Brick Streets. All streets or sections of streets, within the City currently surfaced in red brick shall be repaired or reconstructed using red brick, under the following conditions and terms:

When it is decided by the City that a street or section of a street, currently surfaced in red brick needs repair or reconstruction such that a resolution of necessity is needed, the Clerk of Council shall notify all adjacent property owners that such repair or reconstruction is to be done and the comparative costs of such repair or reconstruction being done in red brick or alternative paving. Such notification shall be by certified mail to the tax mailing address of the property owners. Such property owners shall have fifteen days from the date of receipt of the notice (to be figured from the date of the last property owner's receipt of notice) to file with the Clerk of Council a petition setting forth that property owners representing sixty percent (60%) of the adjacent front footage request that such repairs or reconstruction be done in approved material other than red brick. When such a petition is received by the Clerk of Council then the resolution of necessity shall specify that the street shall be repaired or reconstructed in approved material other than red brick. If no petition is filed with the Clerk of Council, then the repair or reconstruction shall be done in red brick.

When repairs are such that they may be done without a resolution of necessity, such repairs shall be done in red brick.

(Ord. 73-82. Passed 9-13-82.)

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

SEC. 1: That Section 903.01 (b)(3) of the codified ordinances of the City of Medina, Ohio shall be amended to read as follows relative to Red Brick Streets:

903.01 CLASSIFICATION BY WIDTH AND STRENGTH.

(b) Classification by Strength of Streets.

(1) Class I Streets (8 inches). In all streets, or sections of streets, where wheel loads in excess of 8,000 pounds are frequent, the pavement to be constructed or reconstructed therein shall be a minimum of eight inches in thickness with steel reinforcement and proper subsurface drainage, in accordance with the standards of the City, and shall be designated as Class I Streets.

(2) Class II Streets (7 inches). In all streets or sections of streets, where wheel loads in excess of 8,000 pounds are infrequent the pavement to be constructed or reconstructed therein shall be of concrete meeting the requirements of the City specifications, and shall be a minimum of seven inches in thickness with steel reinforcement and proper subsurface drainage in accordance with the standards of the City, and shall be designated as Class II Streets.

(Ord. 11-93. Passed 1-25-93.)

(3) Red Brick Streets. All streets or sections of streets, within the City currently surfaced in red brick shall be repaired or reconstructed using red brick, under the following conditions and terms:

When it is decided by the City that a street or section of a street, currently surfaced in red brick needs repair and/or reconstruction such that a resolution of necessity is needed and it is determined that adjacent property owners shall be assessed, the law and procedures as set forth in Chapter 727 and/or Section 727.01 of the Ohio Revised Code shall apply.

When repair and/or reconstruction is such that the City determines that it may be done without a resolution of necessity, such repair and/or reconstruction shall be completed in red brick.

SEC. 2: That any Ordinance in conflict with this Ordinance in connection with Red Brick Streets is hereby repealed.

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

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

Effective date:

ORDINANCE NO. 77-19

**AN ORDINANCE AMENDING ORDINANCE NO. 195-18,
PASSED DECEMBER 10, 2018. (Amendments to 2019 Budget)**

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

SEC. 1: That Ordinance No. 195-18, passed December 10, 2018, shall be amended by the following additions:

<u>Account No./Line Item</u>	<u>Additions</u>
547-0650-52215 (Airport-Detention Basin Project)	\$ 20,000.00 *
001-0410-52215 (Twin Towers Memorial Project)	25,000.00 *

SEC. 2: 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. 3: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

* - new appropriation

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor