

**CITY OF MEDINA
AGENDA FOR COUNCIL MEETING**

September 23, 2019
Medina City Hall
7:30 p.m.

Call to Order.

Roll Call.

Reading of minutes. (September 9, 2019)

Reports of standing committees.

Requests for council action.

Reports of municipal officers.

Notices, communications and petitions.

Introduction of visitors.

(speakers limited to 5 min.)

Introduction and consideration of ordinances and resolutions.

Ord. 143-19

An Ordinance authorizing the Mayor to advertise for the auction, sale or disposal of City Equipment and Vehicles no longer in use.

(emergency clause requested)

Res. 144-19

A Resolution proclaiming October 4, 2019 as "Made in Medina County Day".

Ord. 145-19

An Ordinance authorizing the Mayor to solicit Requests for Proposals (RFP's) for Drug Screening and Associated Professional Services for the employees of the City of Medina.

Ord. 146-19

An Ordinance authorizing the purchase of one (1) 2020 F150 with F-Series Four Wheel Drive Cab and Chassis and Utility Bed from Montrose Ford for the Water Department.

Res. 147-19

A Resolution authorizing an application for grant assistance from the Ohio Department of Transportation – Office of Aviation for funding under the Ohio Airport Grant Program for the Extension of the North-South Taxiway at the Medina Municipal Airport.

Ord. 148-19

An Ordinance authorizing the Mayor to enter into Task Order #2 to the Agreement with Delta Airport Consultants, Inc. for professional services at the Medina Municipal Airport relative to the Extension of the North-South Runway.

Ord. 149-19

An Ordinance authorizing the purchase of one (1) 2020 Chevrolet 5500HD LDF Diesel Dump Truck from National Auto Fleet Group to be used by the Parks Department.

Ord. 150-19

An Ordinance authorizing the Mayor to execute a Right of Way Agreement with the Wheeling and Lake Erie Railway Company, relative to the South Elmwood Bridge Project.

Ord. 151-19

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

Council comments.

Adjournment.

MEDINA CITY COUNCIL
Monday, September 9th, 2019

Mayor Dennis Hanwell – State of the City Address, 6:00 p.m. - City Hall Rotunda

Opening:

Medina City Council met in regular, open session on Monday, September 9th, 2019. The meeting was called to order at 7:30 p.m. by President of Council John Coyne who led in the Pledge of Allegiance.

Roll Call:

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

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

Minutes:

Mr. Shields moved that the minutes from the regular meeting on August 26, 2019 as prepared and submitted by the Clerk be approved. The roll was called and the motion passed by the yea votes of D. Simpson, B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose and J. Shields.

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 two weeks.

Health, Safety & Sanitation Committee: Mr. Simpson had no report.

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb no report.

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

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

Emerging Technologies Committee: Mr. Rose stated he has a meeting scheduled on September 24th following the budget meeting.

Requests for Council Action:

Finance Committee

19-151-9/9 – 2019 City Auction

19-152-9/9 – Request to Designate October 4, 2019 as “Made in Medina County Day”

19-153-9/9 – Expenditure for Holiday Lighting

19-154-9/9 – RFP’s Drug Screen and Related Professional Services

19-155-9/9 – Request Transfer of City Land to Medina City Development Corp (CIC)

19-156-9/9 – Purchase (1) 2020 F-150 4x4 Pickup Truck & (1) 2020 Cab & Chassis

19-157-9/9 – Expenditure Over \$15,000 – Chippewa Roofing – Fire

- 19-158-9/9 – Grant Application – FAA – N-S Taxiway at Airport
- 19-159-9/9 – Grant Application – ODOT Aviation – N-S Taxiway at Airport
- 19-160-9/9 – Delta Airport Consultants – Task Order #2
- 19-161-9/9 – Purchase 2020 Chevrolet 5500HD LCF – Cemetery
- 19-162-9/9 – Right-of-Way Agreement – Wheeling & Lake Erie Railway

Emerging Technologies Committee

- 19-163-9/9 – Update Financial Software for City – Software Solutions

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported

- 1) Parking Deck - Construction of parking deck south of Medina City hall commenced the week of Labor Day. Long term lots will be available at Castle Noel lot; Feckley lot on north side of Thyme2; County Courthouse parking deck; County Administration lot extension off E. Liberty Street; parking lot between W. Liberty and W. Washington with Huntington bank drive through; Muni Court lot is available on weekends and evenings; 3 hour lots were established at open areas of lot between Sully's and Porters, as well as lot at the southeast corner of Elmwood and W. Liberty.
- 2) Utility drop boxes have been moved to Municipal Court lot; working on getting post office to move their box to Municipal Court lot too; mini library will be placed at 3 hour lot at SE corner of Elmwood and W. Liberty; customer 15 min. parking is posted on W. Friendship adjacent to the Medina County Historical Society; handicap spots were established at city hall, near corner of W. Friendship and N. Elmwood.
- 3) Congratulations to Kiwanis of Medina for 100 years serving Medina!
- 4) Farmers Market each Saturday on Square 9 a.m. to 1 p.m. until mid-October.
- 5) State of the City was presented to the Medina Chamber of Commerce on Tuesday, September 3rd, 11:30 a.m. at Williams on the Lake and to Council tonight. Will be available on Medina TV, city website, Facebook, and YouTube.
- 6) Annual India Festival USA will be held Saturday, September 14th at Independence High School from 10 a.m. to 7 p.m., 6001 Archwood Road, Independence, OH. Public is welcome and events and activities are free and he will be presenting a Proclamation on behalf of our city.
- 7) 9-11 Memorial Ceremony - to be held Wednesday, September 11th at 10 a.m. Public is welcome to attend at Medina Fire Station One. Respectfully ask public that may walk, to park behind the Cinema across N. Huntington to not cause issues for fire or LST unit response.

Keith Dirham, Finance, Keith reminded to support the renewal and increase levy for the Emergency Medical Service. The city splits this operation with the two townships of Medina Township and Montville Township and it is a partnership between them. We pay our city share through this levy. The reason for the increase is this levy has not been increased in 20 years and with the property tax levy we do not get inflationary increases on the collections and actually collections are less now than they were 20 years ago because the state has changed some things with the property tax. Costs have increased substantially for the Life Support Team, some of the equipment they use is a lot more expensive. Keith hopes that all will support this levy.

Greg Huber, Law Director, had no report.

Chief Kinney, Police Department, had no report.

Kimberly Marshall, Economic Development Director, stated the next round of ribbon cutting is Friday, September 20th at 10 a.m. for Echelon Independent Living Facility located at 629 N. Huntington St., 11 a.m. for New Leaf Massage and Wellness located at 1075 South Court St. in suite 200, 1 p.m. at 236 North State Road for Par-Take Kitchen, 2 p.m. for Hope Recovery Community at 200 Highland Drive, 3 p.m. for Bumble Bee Village LaLa Land for their childcare expansion project at 725 N. Court St., 4 p.m. at 696 E. Washington St. for Medina Summit Battered Women's Center and Rape Crisis Center. They will be taking the month of October off, however, they will be working on their next Made in Medina County Manufacturing Expo which is set for Friday, October 4th taking place at the Medina County Fairgrounds Community Center at 8 a.m. with keynote presentation by John Ratzenburger. His topic will be the importance of manufacturing in today's economy. Register online at www.madeinmedinacounty.com tickets are for the keynote presentation by John which includes breakfast and the cost is \$40.

Jonathan Mendel, Planning Community Director, had no report.

Chief Painter, Fire Department, reported their annual Fire Department Open House is Saturday, October 12th 11 a.m. – 2 p.m. There will be numerous safety vehicles, helicopter landing, displays and food for residents.

Mike Wright, Recreation Center Director, stated the next Rec Advisory Meeting is Thurs, September 19th at 7:30 a.m. at the recreation center.
Good luck to Ron Ross, School Board President, on his 200 mile run next week.

Jansen Wehrley, Parks and Recreation Director, had no report.

Dan Gladish, Building Official, had no report.

Patrick Patton, City Engineer, Patrick stated they had two projects start today. The South Elmwood Bridge and currently South Elmwood just south of West Smith Road is closed. Later this week unfortunately the entire intersection will be closed to allow for the reconstruction. They also started their concrete street repair project which is their annual program, replacing slabs of concrete at various areas throughout the city. Please be patient while roads are closed one lane at a time while work is going on.

Nino Piccoli, Service Director, reminded the residents the week of September 23rd they will be closing South Elmwood between West Washington and West Smith for resurfacing and during that time they will do their best to keep the parking lot open.

Notices, Communications and Petitions

There are none.

Unfinished Business:

Ord. 120-19:

An Ordinance rezoning the property at 1088 S. Court Street from R-3, High Density Residential to C-3, General Commercial. Mr. Shields moved for the adoption of Ordinance/Resolution No. 120-19, seconded by Mr. Simpson. Mr. Huber asked council to first consider the modification of the ordinance. Attorney Justin Eddy is present for the property owner. The modification of the ordinance changes the zoning from what had been proposed that we received from the Planning Commission which is C-3 to a less intense of C-1 zoning, however, in order to modify what the Planning Commission gave to us because they approved C-3 or to even deny what the Planning Commission gave to us, the Council has to deny or modify by a super majority vote which is $\frac{3}{4}$ of the Council requiring 6 out of 7. So if you were to deny what the Planning Commission already recommended it would take 6 of you. If you modify to C-1 it would take 6 of you. To simply pass C-3 which is the most intensive commercial zoning, would only require a majority.

Mr. Coyne stated their intentions are to listen to the residents on this and then entertain an amendment to the ordinance changing it from a C-3 to a C-1, and after that, take a vote on it to see if there is any council support for amending.

Mr. Hoek resides at 28 Pinewood Dr. and is a member on the Board of Trustees for Pinewood Condominium Association. They are here tonight to reassert their opposition of any rezoning of the lot at 1088 South Court St. Their objection to any rezoning which allows a commercial driveway at a critical and dangerous spot on South Court Street. At a meeting in July Attorney Eddy dismissed their comments opposing this rezoning. They have presented to council with evidence supporting the reasons for their opposition. This includes a testimonial signed by 72 voters and residents of homes in Pinewood expressing their opposition and a detailed sanction of State Route 3 where the proposed rezoning would add an eighth commercial driveway to an already congested narrow 2/10th's of a mile stretch of that roadway. Mr. Hoek spoke of the potential hazards in this already busy area. There are 7 commercial driveways serving 19 businesses.

Based on ODOT analysis of traffic volume at Lexington Ridge, there are 13,460 vehicles each day on route 3. This analysis was done in 2010 and it surely has increased due to the continued development on both sides of Route 3. There have been 16 traffic accidents in Medina south of Sturbridge in the past 30 months. He spoke of the stopping distance and how it would only be 100 feet from Pinewood. Mr. Hoek stated Attorney Eddy pointed out that Trillium Creek is not suing the city over what it sites as the arbitrary and unsupported decision of the BZA which refused its request for a conditional variance to current R-3 zoning at 1088 S. Court, it is only appealing the decision he indicated the appeal would be dropped if the requested rezoning were approved, he may just as well have added "or else". The owners, residents and many daily visitors to the Pinewood neighborhood also appeal, they appeal to council to recognize the dangerous conditions and negative impact to allowing an 8th commercial business driveway would create on a busy narrow road into and out of Medina.

Medina City Council
September 9, 2019

This council represents and is responsible for the interests of Medina and its 26,000 residents but most of all they appeal to your common sense based on the knowledge and experience gained as you have watched and participated in the development of this historic city.

Pat Ryan resides at 425 Sharon Copley Road.

Ms. Ryan spoke of the variance not being approved, and how C-3 is the most intrusive of commercial zoning. Using Mr. Mendel's words in the C-3 districts full range of permitted and conditionally permitted uses have a greater potential for negative impacts on the surrounding residential uses.

The east side of South Court has absolutely no commercial zoning at all from the south city limit north to the corner parcel on Lafayette Rd.

Ms. Ryan stated she feels the issue before council is the C-3 request. To their knowledge, there has been no review, staff report, planning commission recommendation or even public comment on the C-1. The entire process has been complicated by midstream changes and strategies, requests and applications. They are even unsure of how to address this, do they address C-3, C-1, another zoning district, or all of the above. Council has the authority to modify Planning Commission's recommendations, but should something this consequential as a rezoning from residential to commercial district that very likely could permanently adversely affect adjacent residential property owners be decided based on a letter of consent and support from the applicant's attorney without the Planning Director staff support, Planning Commission's recommendation or public input. The C-1 still allows many of the uses such as restaurants and bars and gas stations that the Pinewood residents found too intrusive in the C-3.

Why not apply for the CS which allows for the kiosk if that is actually their intent. Or is it?

Why did they not finish the appeal process, which would give them the kiosk and just the kiosk? Why is the city not following the procedure of what the Planning Director suggested? Would Council have considered a modification tonight if it had not been for a letter from the applicant giving "consent and support" for the C-1 district or would you all have voted on the C-3 rezoning and application as presented based on the Planning department staff report, the applicant statement and the public comments. The applicant has the right to develop but the adjacent property and the owners also have rights too. Zoning is to guide for urban growth and development used in accordance with a comprehensive plan. The 2007 Comprehensive Plan Update for Medina states the area should be residential. The plan was created and supported by the Planning Department, the residents, and Council.

Julie Larabee resides at 36 Pinewood Dr. stated as a trustee representing the owners of Pinewood Condominium Association, she urges Council to deny the request to rezone the 1088 lot on South Court St. from R-3 to any commercial zoning. She spoke of increased traffic congestion, limited site distance and dangerous conditions along with negative impact on residential property.

Ms. Larabee stated they have provided Council with signatures from 72 residents who oppose the rezoning. As elected members of Medina City Council you must represent those Medina residents

who are voters and tax payers and decide each case fairly on its own merits not to just avoid litigation or limit the city liabilities. She requested that Council protect their residential property and their quality of life by rejecting the rezoning requests.

Atty. Justin Eddy, from Tucker Ellis, LLP – Attorney for Property Owner

Mr. Ellis stated it is clear there is a traffic issue in that area, but in terms of their requests those considerations are not properly before Council in terms of whether to approve or deny the rezoning of this property. Zoning regulations are designed to ensure the greatest enjoyment and maximum use of one's land. Mr. Eddy stated they are not going to be a traffic generator, this use is going to be designed to capture existing traffic. There has not been a traffic study performed, nothing has been requested in that respect. Regarding the appeal, that is not litigation. This property is essentially an island in the midst of multiple commercial uses. The city has previously approved similarity situated property for commercial development in connection with the PUD. This area is a commercial area, the Planning Commission recognized that when they recommended that it be rezoned. Justin stated the Comprehensive Plan needs to be looked at to determine what if what was determined in 2007 or earlier is appropriate for this period of time and the type of development that has occurred in the area. This lower zoning classification in his opinion is an ideal transitional use between a C-3 commercial designation and a residential use.

President Coyne stated that prior to letting Council give their comments regarding the rezoning, he asked Mr. Huber a follow up question, a clarification, so everyone knows what they would be voting on and how they would be voting. If there is an amendment proposed to the existing ordinance to change it from a C-3 to a C-1, his understanding is in order for the amendment to be effective as Mr. Huber indicated, it would take 6 of 7 to vote yes. Mr. Huber stated that is correct. Frankly, to some extent the Council has been boxed in by what the Planning Commission did here, they approved the most extreme commercial zoning C-3 and so in order to modify that, it will require a super majority or 6 votes in order to deny what the Planning Commission did.

Mr. Huber stated his other recommendation, if this ends up in litigation it will be closely examined in terms of anything you say at this hearing, so vote and don't offer a whole lot of additional information.

Mr. Rose asked Mr. Huber to clarify a comment on litigation that he has an agreement with that was an appeal to the BZA's decision back in the spring? Mr. Huber stated that is correct. Paul stated for conversation, if neither zoning is approved this evening then that lawsuit goes through and the court would decide whether the BZA was correct or not. Greg stated on the BZA yes, depending on what happens here, there may be another lawsuit.

Mr. Lamb asked if there was a current lawsuit and Mr. Huber stated it is an appeal of the BZA decision. Mr. Lamb asked Jonathon Mendel regarding the C-1 is there a staff report on the C-1 zoning? Mr. Mendel stated there is not. Mr. Lamb stated that procedurally there was a question raised that there was a staff report on C-3. Mr. Mendel stated yes. Bill stated the typical procedure to do this regardless of what zoning you were trying to get, you would review it and you would submit a report. Mr. Mendel stated yes, that is the standard operating procedure. Mr. Lamb asked if it makes sense that there is no staff report for C-1 and there is a lesser zoning that could be

considered that would allow the kiosk but it would not allow the future development that could occur regardless of C-1 or C-3, would it make sense then if Council were to table this until the next council meeting so that they could take a better look at other options they may have regarding zoning, as well as having a staff report done on a C-1 and lesser zoning?

Mr. Simpson stated that if they both fail, it will open up the city to litigation either way. If the C-S is an option that Mr. Mendel, the Planning Commission, but mainly the residents could live with.

Mr. Coyne stated it is also the owner of the property has to be able to agree to the C-S.

Mr. Huber stated that the property owner and their attorney would have to agree on tabling this until the next council meeting.

Mr. Coyne asked if they wanted council to vote tonight on this or are they ok with tabling it for the next council meeting. Attorney Justin Eddy stated they would prefer a vote this evening.

The roll was called and Ordinance/Resolution No. 120-19 failed by the nay votes of J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields and D. Simpson.

Ord. 120-19

An Ordinance rezoning the property at 1088 S. Court Street from R-3, High Density Residential to C-3, General Commercial. Mr. Coyne asked if there was a motion to amend Ordinance 120-19 from an R-3 High Density to a C-1 Local Commercial. Mr. Simpson moved and Mr. Rose seconded. The roll was called on the amendment and FAILED by the yea votes of J. Coyne, E. Heffinger, P. Rose, D. Simpson, and B. Starcher. B. Lamb and J. Shields cast a nay vote. Mr. Simpson moved for the adoption of Ordinance No. 120-19 (R-3) to (C-3), seconded by Mr. Rose. The roll was called and the ordinance failed by the yea votes of B. Starcher. J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields and D. Simpson all cast nay votes.

Introduction of Visitors:

There were none.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 126-19:

An Ordinance amending Sections 31.05 and 31.07 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Chief and Deputy Chief Probation Officer Positions and accepting the Chief Probation Officer and Building Custodian Job Descriptions for the Municipal Court. Mr. Shields moved for the adoption of Ordinance/Resolution No. 126-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 126-19, seconded by Mr. Simpson. Mr. Coyne stated that the municipal court is creating a new position called the Deputy Chief Probation Officer. Currently there are two probation officers in the Salaries and Benefits Code. This will modify one of the positions making it 9 A through 9 F. There is also a modification to the Chief Probation Officer's pay code going from a 20 A-F to a 16 A-F which lowers that position's pay based upon those different steps. The

roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne, E. Heffinger and B. Lamb. The roll was called and Ordinance/Resolution No. 126-19 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne and E. Heffinger.

Ord. 127-19:

An Ordinance approving the three year Capital Improvement Plan for the Medina Community Recreation Center and authorizing the expenditure of the current cash balance of the fund to the Medina City Schools, in accordance with the Joint Operating Agreement. Mr. Shields moved for the adoption of Ordinance/Resolution No. 127-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 127-19, seconded by Mr. Simpson. Mr. Shields will be abstaining from voting due to his employment. Mike stated that this is per their Joint Operating Agreement with the Medina Community Recreation Center and the Medina City Schools. In this agreement, the schools pay all capital expenditures first and then bill the rec half. They are requesting to have all of our cash balance in the 575 Capital account placed in a PO for the schools for this purpose. 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, and P. Rose. J. Shields abstained. The roll was called and Ordinance/Resolution No. 127-19 passed by the yea votes of D. Simpson, B. Starcher J. Coyne, E. Heffinger, B. Lamb and P. Rose. J. Shields abstained.

Ord. 128-19:

An Ordinance authorizing the increase of the expenditure to Signal Service Company to \$60,000 for the Street Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 128-19, seconded by Mr. Simpson. Mr. Piccoli stated they are asking for this increase from \$15,000 to \$60,000 so they can have testing on their traffic control cabinets performed as well as numerous repairs and maintenance items. The roll was called and Ordinance/Resolution No. 128-19 passed by the yea votes of B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields and D. Simpson.

Ord. 129-19:

An Ordinance authorizing the purchase of one (1) 2020 Chevrolet Malibu from Ganley Chevrolet of Aurora for the Police Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 129-19, seconded by Mr. Simpson. Chief Kinney stated this will replace one of their older detective bureau vehicles. The roll was called and Ordinance/Resolution No. 129-19 passed by the yea votes of J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson and B. Starcher.

Res. 130-19:

A Resolution accepting and approving the Resolution passed by the Historic Preservation Board approving the application and recommendation for the designation of Historical Landmark for 205 S. Prospect Street (Phillips-McDowell House). Mr. Shields moved for the adoption of Ordinance/Resolution No. 130-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 130-19, seconded by Mr. Simpson. Mr. Mendel stated the Historic Preservation Board reviewed and made a recommendation under

section 145.08 A, C, D & F to approve this as a Historic Landmark within the City of Medina. Emergency is needed due to application process. The roll was called on adding the emergency clause and was approved by the yeas of B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne and E. Heffinger. The roll was called and Ordinance/Resolution No. 130-19 passed by the yeas of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher and J. Coyne.

Ord. 131-19:

An Ordinance amending Ordinance No. 100-19, passed July 8th, 2019 authorizing a payment to Jenmet Construction LLC for the Private Rehabilitation at 3877 Miller Dr., Brunswick as part of the PY18 CHIP Grant Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 131-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 131-19, seconded by Mr. Simpson. The roll was called on adding the emergency clause and was approved by the yeas of J. Shields, D. Simpson, B. Starcher J. Coyne, E. Heffinger, B. Lamb and P. Rose. The roll was called and Ordinance/Resolution No. 131-19 passed by the yeas of P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne, E. Heffinger and B. Lamb.

Res. 132-19:

A Resolution authorizing an application for grant assistance from the State of Ohio, Ohio Public Works Commission, relative to Issue 1 and LTIP Program funding for the Gates Mills Boulevard Bridge Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 132-19, seconded by Mr. Simpson. Mr. Patton stated this is their annual application to OPWC. The roll was called on adding the emergency clause and was approved by the yeas of D. Simpson, B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose and J. Shields. The roll was called and Ordinance/Resolution No. 132-19 passed by the yeas of D. Simpson, B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose and J. Shields.

Ord. 133-19:

An Ordinance authorizing the Mayor to execute Preliminary Legislation with the Ohio Department of Transportation (ODOT) to perform bridge inspection services for the municipal owned bridges. Mr. Shields moved for the adoption of Ordinance/Resolution No. 133-19, seconded by Mr. Simpson. Mr. Patton stated every year they are required to inspect our bridges and report them to the state but several years ago ODOT received a federal grant that provided funds for them to do the bridge inspections and they've renewed twice. The roll was called and Ordinance/Resolution No. 133-19 passed by the yeas of B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields and D. Simpson.

Ord. 134-19:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the South Court Water Tank Improvements Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 134-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 134-19, seconded by Mr. Simpson. Mr. Piccoli stated the city entered into a contract with Dixon Engineering to provide the city with technical specifications as well as contract bidding documents to replace the steel fill pipe at the South Court water tower as well as the recoating of the interior.

Emergency is needed due to significant corrosion on the fill pipe. 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, D. Simpson, B. Starcher and J. Coyne. The roll was called and Ordinance/Resolution No. 134-19 passed by the yea votes of J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson and B. Starcher.

Ord. 135-19:

An Ordinance authorizing the payment to GB Hawk Construction Co. for the Private Home Rehabilitation at 33 Circle Drive, Medina as part of the PY18 CHIP Grant Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 135-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 135-19, seconded by Mr. Simpson. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne, E. Heffinger and B. Lamb. Emergency clause is needed to pay contractor in a timely manner. The roll was called and Ordinance/Resolution No. 135-19 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne and E. Heffinger.

Ord. 136-19:

An Ordinance authorizing the Mayor to enter into Task Order #1 to the Agreement with Delta Airport Consultants, Inc. for professional services at the Medina Municipal Airport relative to the extension of the North-South Runway. Mr. Shields moved for the adoption of Ordinance/Resolution No. 136-19, seconded by Mr. Simpson. Mr. Patton stated this allows them to engage Delta Airport Consultants to complete the plans for the extension of the N-S taxiway at the Airport. There are three different funding areas this \$40,000 is for the design and will be the city's responsibility to pay for. The next two \$300,000 for construction and \$160,000 for construction, administration and ALP plan update are covered by either the FAA or ODOT with the city only responsible for 5% of those costs. The roll was called and Ordinance/Resolution No. 136-19 passed by the yea votes of J. Shields, D. Simpson, B. Starcher J. Coyne, E. Heffinger, B. Lamb and P. Rose.

Res. 137-19:

A Resolution supporting Mayor Hanwell to join the "Mayor's Pledge" with the National Recreation and Parks Association's 10-Minute Walk Campaign. Mr. Shields moved for the adoption of Ordinance/Resolution No. 137-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 137-19, seconded by Mr. Simpson. Mr. Wehrley stated this campaign is a commitment to make sure everyone in our city has a safe and easy access to a quality park within a 10-minute walk of their home by 2050. MainStreet Medina has applied for a planning grant for an expansion of walking loop in the south town district and the emergency clause is requested due to time restraints on grant. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson and B. Starcher. The roll was called and Ordinance/Resolution No. 137-19 passed by the yea votes of B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields and D. Simpson.

Res. 138-19:

A Resolution authorizing an application for grant assistance from the Federal Aviation Administration (FAA) for the Extension of the North-South Taxiway at Medina Municipal Airport. Mr. Shields moved for the adoption of Ordinance/Resolution No. 138-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 138-19, seconded by Mr. Simpson. Mr. Patton stated they initially were planning on requesting the FAA carry over their funds until next year because we could not meet their July deadline, they in turn came back to us late in the summer and asked us to move forward with it and they would extend that deadline. The emergency is requested due to time restraints. 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. 138-19 passed by the yea votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher and J. Coyne.

Ord. 139-19:

An Ordinance authorizing an expenditure not to exceed \$30,000 to Wertz Geotechnical Engineering for material testing and inspection for the City Hall Parking Structure. Mr. Shields moved for the adoption of Ordinance/Resolution No. 139-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 139-19, seconded by Mr. Simpson. Patrick stated the parking deck project will be starting shortly and required on our part is to provide materials testing as well as special inspection services and they are recommending Wertz Geotechnical Engineering to do the concrete and steel and post tensioning inspection. Emergency is requested due to the contractor is starting. The roll was called on adding the emergency clause and was approved by the yea votes of J. Shields, D. Simpson, B. Starcher J. Coyne, E. Heffinger, B. Lamb and P. Rose. The roll was called and Ordinance/Resolution No. 139-19 passed by the yea votes of P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne, E. Heffinger and B. Lamb.

Res. 140-19:

A Resolution approving by legislative Resolution the Petition and Articles of Incorporation for the creation and governance of an Energy Special Improvement District under Ohio Revised Code Chapter 1710, and approving the necessity of acquiring, constructing, and improving certain public improvements in the City of Medina, Ohio in cooperation with the City of Medina Energy Special Improvement District. Mr. Shields moved for the adoption of Ordinance/Resolution No. 140-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 140-19, seconded by Mr. Simpson. Mrs. Marshall stated this would form an Energy Special Improvement District which will allow commercial property owners, companies, businesses and non-profits and government entities to utilize an economic development tool called PACE financing which is Property Access Clean Energy which allows them to make energy efficiency upgrades to their facility. In order for them to use the program we have to have the ESID done by the city. Our Economic Development Committee met to recommend Council to move forward with establishing the district, however, we can't form the district without having a project. The county decided to be our first entity to take advantage of it with an energy LED lighting upgrade for the Job and Family Services building on Northland Drive. Kimberly stated she is asking Council to pass a resolution as well as two

ordinances. One is to establish the ESID which she will be chairperson of, and the other two are ordinances to approve the energy project and then move forward with the special assessments. Information is needed this week to the County Auditor and that is why the emergency is needed. 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. 140-19 passed by the yea votes of D. Simpson, B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose and J. Shields.

Ord. 141-19:

An Ordinance determining to proceed with certain City of Medina Special Energy Improvement projects by way of special assessments in accordance with Chapters 1710 and 727 of the Ohio Revised Code. Mr. Shields moved for the adoption of Ordinance/Resolution No. 141-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 141-19, 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, D. Simpson, B. Starcher and J. Coyne. The roll was called and Ordinance/Resolution No. 141-19 passed by the yea votes of J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson and B. Starcher.

Ord. 142-19:

An Ordinance levying special assessments for the Medina County Project (ESID). Mr. Shields moved for the adoption of Ordinance/Resolution No. 142-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 142-19, seconded by Mr. Simpson. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne, E. Heffinger and B. Lamb. The roll was called and Ordinance/Resolution No. 142-19 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne and E. Heffinger.

Council Comments:

Mr. Simpson spoke of the Mayor's State of the City Address and what he got out of it was #1 the Leadership of the Mayor, #2 each and every one of the department heads including Mr. Huber and thanked them all for their service.

Dennie thanked the people that attended the Tunnels to Tower run to raise money for wounded warriors and first responders.

Please register to vote and remember to be kind to one another and not listen to negative comments.

Mr. Coyne stated there is not only a budget hearing this Wednesday but next Tuesday as well and both start at 5:30 p.m.

Adjournment:

There being no further business before Council, the meeting adjourned at 8:47 p.m.

Medina City Council
September 9, 2019

Kathy Patton, CMC - Clerk of Council

John M. Coyne, President of Council

ORDINANCE NO. 143-19

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR THE AUCTION, SALE OR DISPOSAL OF CITY EQUIPMENT AND VEHICLES NO LONGER IN USE, AND DECLARING AN EMERGENCY.

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

SEC. 1: That the Mayor is hereby authorized and directed to advertise for the auction, sale or disposal of city equipment and vehicles no longer in use.

SEC. 2: That a list of the items to be auctioned and/or sold is marked Exhibit A, attached hereto and made a part hereof.

SEC. 3: That the Mayor is hereby authorized to dispose of any items not purchased in accordance with the law.

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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason the auction is being held earlier this year; 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

AUCTION ITEMS 2019

9/17/2019

ORD 143-19
Rkh. A

<u>DEPARTMENT</u>	<u>ITEM</u>	<u>QUANTITY</u>	<u>MAKE/MODEL</u>
Medina Cable	Winstead racks and parts	3	
Medina Cable	Dell Precision T1500	2	
Medina Cable	Dell Dimension 9200	1	
Medina Cable	HP Scanjet 5200C	1	
Medina Cable	Dell computer	1	
Medina Cable	Dell Dimension E521	1	
Medina Cable	Dell D09M	1	
Economic Development	35 MM Canon EOS Rebel camera with flash, battery, carry bag & 75-300 lens	1	EF-S18-55-IS
Economic Development	Hanging File Folder frame	2	
Economic Development	Plastic letter tray	2	
Economic Development	Wire rack CD Holder	1	
Fire Department	2010 Ferris 52" zero turn lawn mower (no motor)	1	
IT Department	Miscellaneous computer equipment		
Law Department	Blue Lamp	1	
Law Department	Green Lamp	1	
Law Department	Medina Gazebo picture	1	
Law Department	Inspirational pictures	3	
Law Department	Blue coffee mug	1	
Mayor's Office	iPad with case	1	Apple
Mayor's Office	iPhone 6S	1	Apple
Mayor's Office	Various flip phone holsters	9	Kyocera DuraXV
Mayor's Office	Flip Phone (new in box)	2	Kyocera DuraXV+

<u>DEPARTMENT</u>	<u>ITEM</u>	<u>QUANTITY</u>	<u>MAKE/MODEL</u>
Mayor's Office	iPhone Otter Box case	1	For iPhone 5
Mayor's Office	Radio Scanner	1	RadioShack PRO-75
Mayor's Office	Belt clip for iPhone 5	1	Life Proof
Medina Municipal Court	Jury chairs		
Medina Municipal Court	Various Electronics		
Medina Municipal Court	Assorted Law Library Books		
Public Buildings	Wooden right return desk	1	
Public Buildings	Wooden top desks	2	
Public Buildings	Office chairs with casters	4	
Public Buildings	Four drawer file cabinet	1	
Public Buildings	Miscellaneous hand tools		
Public Buildings	Miscellaneous office furniture		
Sanitation Department	Two wheel dolly	1	
Sanitation Department	Heavy Duty truck jack	1	
Sanitation Department	Air truck jack	2	
Street Department	SunVac Sweeper Broom-Center	5	
Street Department	SunVac Sweeper Broom-Gutter	6	
Street Department	Plastic Chairs	17	
Vehicle Maintenance	50 Ton Press (needs repair)	1	
Vehicle Maintenance	2 Ton Floor Jack	1	
Vehicle Maintenance	Lincoln Mig Welder	1	
Vehicle Maintenance	A/C Leak Detector	1	Wire-Matic 255
Vehicle Maintenance	Shelving Unit	2	
Vehicle Maintenance	Portable "Start All"-Gas Powered	1	
Vehicle Maintenance	Pallet of hydraulic cylinders & valves	1	
Vehicle Maintenance	Loose hydraulic cylinders	6	
Vehicle Maintenance	Trash Pump	1	

<u>DEPARTMENT</u>	<u>ITEM</u>	<u>QUANTITY</u>	<u>MAKE/MODEL</u>
Vehicle Maintenance	Misc. Cable Hooks	1	
Vehicle Maintenance	Round oil tank on stand	1	
Vehicle Maintenance	250 gallon fuel oil tank	1	
Vehicle Maintenance	Power steering gear box	1	
Vehicle Maintenance	Bottle jack	1	
Water Department	Hydraulic Pipe Cutter - 4" -16"	1	Wheeler
Water Department	Hydraulic Pipe Cutter - 4" -12"	1	Wheeler
Water Department	Manual Pipe Cutter 4" - 6"	1	Rex
Water Department	Manual Pipe Cutter 2 1/2" - 4"	1	Ridge
Water Department	Misc. steel gas cans	1	
Water Department	Manual dispensing pumps for 55 gallon barrels	2	
Water Department	Teumseh Gas powered exhaust fan - Super Vac	2	718G4
Water Department	Sets of 3 1/2" x 4" steel T bolts & nuts	80	
Water Department	2" gas powered water pump	1	ITT Marlow 2AK31
Water Department	1 ton chain hoist	1	Yaie
Water Department	Miscellaneous pulleys	1	
Water Department	Air powered valve exerciser	1	Wachs
Water Department	100 pound scale	1	Fairbanks Morse
Water Department	200 pound scale	1	Fairbanks Morse
Water Department	1/4 HP motor	1	Dayton 3N349
Water Department	Shoring oil pump	1	
Water Department	4" RP device	1	1994 Febco
Water Department	Chemical feeder	1	Acrison W1057-D/2
Water Department	18V 1/2" impact (tool only) & case	1	Milwaukee
Water Department	Stop/Slow flagger paddles	2	

AUCTION ITEMS 2019 - INFORMATION TECHNOLOGY

ITEM DESCRIPTION	MFR	MODEL	SN
Hard Drives	Dell	9020 OPTIPLX	00186-243-680-685
Hard Drives	Dell	9020 OPTIPLX	00186-243-680-691
Hard Drives	Dell	9020 OPTIPLX	00186-223-827-387
Hard Drives	Dell	9020 OPTIPLX	00186-243-680-704
Hard Drives	Dell	9020 OPTIPLX	00186-242-956-538
Hard Drives	Dell	9020 OPTIPLX	00186-243-680-684
Hard Drives	Dell	9020 OPTIPLX	00186-103-974-245
Hard Drives	Dell	9020 OPTIPLX	00186-105-795-926
Hard Drives	Dell	9020 OPTIPLX	00186-209-621-108
Hard Drives	Dell	9020 OPTIPLX	00186-242-956-536
Hard Drives	Dell	9020 OPTIPLX	00186-243-680-722
Computer	HP ProDesk		MXL4140Y6K
Computer	HP ProDesk		MXL4140Y6J
Computer	HP ProDesk		MXL4140Y6M
Computer	HP ProDesk		MXL4140Y6Q
CD Duplicator	Microboards Technology		RQDVD5307851
Speaker	Dell	AX510	CN-0C730C-71623-927-0893
Speaker	Koss	Amplified multi speaker system	HDM-235
Phone	Mitel 5320e IP		1ZRFW180303K
Phone	Mitel 5320e IP		1WCFS12511TY
Phone	Mitel 5320e IP		1WCFS12511U6
Phone	Mitel 5320e IP		1WDFS12453ZF
Phone	Mitel 5320e IP		1WDFS13372G4
Phone	Mitel 5320e IP		1WCFS12511SX
Phone	Mitel 5320e IP		1WDFS1245400
Phone	Mitel 5320e IP		1WDFS12453Z9
			BAD-USE FOR PARTS
			BAD-USE FOR PARTS

ITEM DESCRIPTION	MFR	MODEL	SN
PRINTER	Ricoh, Aficio MP161	HP Laser Jet P2015dn	CNBJN58712
Monitor	Dell		CN-ODC323-71618-63E-BGFS
Monitor	Dell		CN-ODC323-71618-63K-AMB2
Monitor	Dell		CN-OUW042-64180-7C1-6AZH
Monitor	Dell		CN-OG8432-64180-57H-1EGA
Surge Protector	APC, Back-Ups	550 Model BE550G	4B1548P37527
Surge Protector	APC, Back-Ups	350 MODEL BE350G	4B1410P27855
Surge Protector	APC, Back-Ups	350 MODEL BE350G	4B1231P49336
Surge Protector	APC, Back-Ups	350 MODEL BE350G	4B1224P10116
Surge Protector	APC, Back-Ups	350 MODEL BE350G	4B1602P33477
Surge Protector	APC, SMART-IPS	750 MODEL SMT750	AS1239117283
Surge Protector		A-1505-006-YP	0J22V0
DVD / ROM	Dell	Optiplex 7010	11055123505
DVD / ROM	Dell	Optiplex 7010	11055170161
Keyboard	Dell		CN-ODJ454-71581-364-0JL3-A00
Keyboard	Dell		CN-ODJ454-71581-36H-051I-A00
Keyboard	Dell		CN-OW7658-37172-5BQ-0054A
Keyboard	Dell		CN-ODJ331-71616-73A-OYMB
Keyboard	Dell		CN-ODJ454-71581-36H-007D-A00
Keyboard	Dell		CN-ORH659-73571-13F-05TN
Keyboard	Dell		CN-ODJ454-71581-36H-04PO-A00
Keyboard	Dell		CN-ON6R8G-73826-631-074C-A02
Keyboard	Dell		DS/IN TH-05695W-3171-266-0023

ITEM DESCRIPTION	MFR	MODEL	SN
Power Adaptor	Canon	Mini	C1031000742CC
Mouse	Dell		D PPID-CN-09RRRC7-48729-3BD-OPSR
Mouse	Dell		D PPID-CN-09RRRC7-48729-3BL-09RY
Mouse	Dell		LZ249DC145G
Mouse	Dell		CN-0DV0RH-LO300-832-0EYD
Mouse	Dell		CN-049PR0-CH400-7CB-07YX-A00
Mouse	Dell		CN-0DV0RH-60300-825-0EV7-A00
Mouse	Dell		CN-049PRO-CH400-7BT-07J5-A00
Servers	Dell	Poweredge R510	3YKKNQ1
Power Supply			JS072901I734
Power Supply	SPI		S8231050959
Answering Machine	AT&T	1725	01-00048898230666
Phone Accessories		Handset	
Phone Accessories		Handset	
Phone Accessories		Handset	
Miscellaneous			
Mesh Office Organizer			
2 Boxes of Misc. Computer Wires			

2019 Auction Items - Parks and Cemetery

DEPT.	ITEM	QUANTITY	SERIAL NUMBER	Miles
Parks	Joe Box	1		
Parks	Metal drawers (green/brown)	2		
Parks	Metal desk with drawers (gray)	1		
Parks	Metal lockers 3x2 (gray)	1		
Parks	Craftsman 150psi air compressor (red)	1	2516236317	Model 919.167320
Parks	Air compressor (red)	1		Model C1203M9AA
Parks	Christmas lights (clear)	31 strands		
Parks	Mirror (24"x29")	1		
Parks	Roving rostrum cordless public address system	1		
Parks	Wood bench (Gray)	1		Model S-122
Parks	Gazebo hand rails	2		
Parks	Craftsman 1/2" electric drill	1	P7071	Model 315.11490
Parks	Hand saw	2		
Parks	Stainless steel anchors 1/2x3.75	16		
Parks	Hurricane clips	53		
Parks	101/2 insulation caps carter lumber (half full box of 2000	1		
Parks	Wind fresh concentrated laundry detergent (40lbs)	1		
Parks	Black dectroive poles 10.5'	17		
Parks	Black dectroive poles 8'	13		
Parks	Black swirly Metal decorations	14		
Parks	Tamper	1		
Parks	White sop sink	1		
Parks	Axe	1		
Parks	Blue rubbermaid water cooler	1		
Parks	Snow shovels	4		
Parks	Playground red roof	1		
Parks	Playground red slide	1		
Parks	Flood lights with light bulbs in red box with green lid	1		
Parks	Pro deck 12" title in boxes	14		
Parks	Glass block windows	17		
Parks	Fuse box with lid (gray)	1		
Parks	Scag mower shoot covers	2		

2019 Auction Items - Parks and Cemetery

DEPT.	ITEM	QUANTITY	SERIAL NUMBER	Miles
Parks	Scag mower bag parts	1		
Parks	Light fixture 8'with cap	1		
Parks	Colored flood lights in green rubbermaid box	1		
Parks	Extension cords in green rubbermaid box	1		
Parks	doors 2'6"x3' (white)	2		
Parks	Portable kerosene fired heater	2		
Parks	Play ground poles (blue/red)	8		
Parks	Portable ice resurfacers	1		
Parks	Plastic play ground wheels	2		
Parks	Play ground U shaped Poles (red/white)	3		
Parks	Play ground rail with pole attachment (white)	1		
Parks	Square play ground step (blue)	1		
Parks	Mojack bottle jack (black)	1		
Parks	Dugout bench metal legs in 2 boxes	8		
Parks	Metal canister (gray)	1		
Parks	Metal post 3'6" with rectangle attached	12		
Parks	Colored flood lights 100W in westinghouse box	12		
Parks	Power boss pressure washer with hose sprayer	1	88584	Model 020309
Parks	Shelf anchors	4		
Parks	Metal rectangle stool (green)	1		
Parks	Lifetime basket ball post (black)	3		
Parks	Jackstand (orange)	1		
Parks	Toro push mower (broken front wheel)	1		
Parks	Baby swings (blue/green)	3		
Parks	Basket ball rims (orange/black)	5		
Parks	Play ground swings (black/yellow/blue/white)	10		
Parks	5/8x12 bolts with nuts and washers	22		
Parks	Squeegee	1		
Parks	Broom head (blue)	1		
Parks	Pitch fork head	1		
Parks	Rake head (green)	1		
Parks	Manual sod cutter with wood handle	1		

2019 Auction Items - Parks and Cemetery

DEPT.	ITEM	QUANTITY	SERIAL NUMBER	Miles
Parks	Metal chain 8'	1		
Parks	Craftsman 6" disk sander/polisher	1		
Parks	Grease gun (red)	1		Model 315.10520
Parks	Steel single jack chain (black polycoated) 190'	2		
Parks	Branch cutters (back handled)	1		
Parks	plews tool pistol oiler	1		
Parks	Oil can (red)	1		
Parks	U shape metal pipe	2		
Parks	Metal rectangle piece	1		
Parks	Hammer wood handle	1		
Parks	Tire wrench	1		
Parks	Roll of roofing paper	1		
Parks	Shovel wood handle	1		
Parks	Broom handel wooden	2		
Parks	Threaded Rod 10'	1		
Parks	Copper pipe 5'	1		
Parks	3" cresline pvc pipe 10'	1		
Parks	Square head screw drivers	38		
Parks	Mower lift	1		
Parks	Prush broom handle brace	9		
Parks	Pipe wrenches	3		
Parks	Wood spiting wedges	2		
Parks	Deck anchors	17		
Parks	Bag of plastick speed bump anchors	1		
Parks	Century AC motor	1		265146M
Parks	Flag holders	3		
Parks	Bag of pvc parts	1		
Parks	Threaded rod with attached piece (new britain p-130)	2		
Parks	Play ground stairs (yellow/blue)	1		
Parks	Reusable container (black)	2		
Parks	Rahn metal rake	1		
Parks	Toro roll bar	1		

2019 Auction Items - Parks and Cemetery

DEPT.	ITEM	QUANTITY	SERIAL NUMBER	Miles
Parks	Broom attachment for workman	1		
Parks	Fence drag for workman	1		
Parks	Metal handle landscape rake (blue)	1		
Parks	Metal handle squeegee (blue)	1		
Parks	Baseball field liner (blue)	1		
Parks	Paint liner (green)	1		
Parks	GMC sierra truck tailgate	1		
Parks	300 Gallon tank	1		
Parks	Bleachers	5		
Parks	Yellow tape measure 300'	1		
Parks	Craftsman 33 gallon air compressor	1		
Cemetery	435 Mini Excavator Tracks	1 / set	Serial Number 2516236317 Model # 919.16732	
Cemetery				

ITEMS FOR AUCTION

MPD 2019 Auction - Forfeitures		
Medina PD Property #	Description of Property	Forfeiture Order #
10-01065	DVD player	1941-001
10-01069	Xbox 360	1941-001
10-01070	Xbox games	1941-001
10-01167	Hoodie/Shoes	1941-001
12-025950-1	Nikon Coolpix	1941-002
14-023251-4	Suitcase - only	1843-003
16-002798-10	Gray Tote w/misc. contents	1841-003
16-002798-11	Pink Tote w/misc. contents	1841-003
17-000813-1	Container	1941-002
17-000813-2	Suitcase	1941-002
17-013974-1	Briefcase	1843-003
17-013974-2	Briefcase	1843-003
17-015353-2	Camo Bag	1941-002
17-018996-1	Hacksaw	1941-002
18-002453-1	Clothing (new)	1941-002
18-024270-1	Bicycle	1941-002
18-026568-1	Mountain Bike	1941-002
18-027469-1	Mens Bicycle	1941-002
18-027642-1	Murray Ultra Terrain Extreme Bicycle	1941-002
18-027964-1	Mountain Bike	1941-002
18-028011-1	Bicycle	1941-002

ITEMS FOR AUCTION

18-028208-1	Huffy Seastar Bike	1941-002
18-028208-2	Speed Bike	1941-002
18-029199-1	Huffy Stalker Bicycle	1941-002
18-029228-1	Free Style Bicycle	1941-002
18-029762-2	Quasar Bounty Mountain Bike	1941-002
18-030368-1	Trek Alpha Bicycle	1941-002
18-031137-1	Back Pack	1941-002
18-032049-1	Quest Bike	1941-002
18-032064-1	Huffy Speed Bicycle	1941-002
18-032385-1	Roadmaster Granite Peak Speed Bicycle	1941-002
18-035150-1	Pink Bike	1941-002
18-037050-1	Elite Bicycle	1941-002
18-038627-2	Burgundy Bicycle	1941-002
18-040877-1	Equator Mountain Bike	1941-002
18-042764-1	Mountain Bike	1941-002
18-042873-1	Magna Brand Girls Bicycle	1941-002
19-011755-1	Bicycle	1941-002
19-015644-1	Hyper Havoc Bicycle	1941-002
19-015645-1	Kodiak Free Spirit Bicycle	1941-002
19-015646-1	Huffy Highland Bike	1941-002
19-018482-1	BMX Style Bike	1941-002
19-019581-1	Schwinn Pathway Bike	1941-002
19-019741-1	Schwinn Pink Bike	1941-002
19-019810-1	Razor Scooter	1941-002

Medina Community Recreation Center (MCRC)
2019 Auction Items

LINE #1	LINE #2	LINE #3
<p>JEWELRY: (29 ITEMS)</p> <p>St Anthony necklace Silver necklace w/ 2 diamond heart pendants fine gold necklace silver necklace w/ large blk/slvr cross Anne Klien thick silver bracelet old gold chain w/ Jesus on cross and Italy pendant copper necklace w/ "love" pendant Rosery bead necklace w/ cross and pendant silver chain necklace w/ cross (diamond center) bangle bracelet (Brighton) w/ heart pendant</p>	<p>silks stretch necklace gold bracelet (broken) silver rhinestone bracelet w/ 3 diamond shapes large silver starfish necklace pendant large silver wedding ring "Rich & Tammy" large silver chain necklace w/ silver dogtag "Triton" sm silver cross pendant (Celtic) ladies wire ring w/ pink bead large cross pendant w/ yellow cross design blk string necklace w/ large silver cross</p>	<p>silver ring w/ black stone designs fine gold necklace w/ diamond half moon silver bracelet blk/slvr pendant "Let that shit go" gold necklace w/ watermelon pendant thin blk string bracelet w/ sm gold pendant "C" pendant sm cross pendant silver necklace w/ lg gold heart w/ diamond circle pearl with diamond attached</p>

LINE #1	LINE #2
<p>EARRINGS: (19 ITEMS)</p> <p>silver hanging w/ torquise stones gold hoop w/ crystal charm pair of rose gold hoops lg silver hoop pair of large gold w/ green bead in center pair of large silver rounds w/ black center large beaded rhinestone ball w/ multi-color pair blue stone stud sm diamond stud</p>	<p>sm diamond stud large pearl stud pair of cubic zirconia stone pair leaf earrings med silver hoop single pearl stud pair of large diamond w/ gold studs sm metal hoop pair pearl stud</p>

LINE #1	LINE #2	SERIAL #/MODEL #:
<p>WATCHES & MISC.: (11 ITEMS)</p> <p>Samsung Gear S3 frontier watch Nickelodian watch Vivani watch w/ gray straps Pulsar silver watch Amitron gray watch Timex blk leather straps Amazon Kindle Fitbit/black Fitbit/blue gray Heyday USB charger Apple Air PODS - white pair</p>	<p>n/a n/a 1218 VIV300 750141 n/a n/a CCAF13LP1230TI/DP75SDI 2AHFID115 n/a n/a n/a</p>	<p>n/a n/a 1218 VIV300 750141 n/a n/a CCAF13LP1230TI/DP75SDI 2AHFID115 n/a n/a n/a</p>

Medina Community Recreation Center (MCRC)

2019 Auction Items

MISC. ITEMS: (41 ITEMS)	LINE #2	LINE #3
12 pairs of sunglasses	Glasses cover - fabric	Nautica shower bag - blue
7 pairs of glasses	Hand people counter w/ purple lanyard	UnderArmor gym shoes - blk/wht (sz 9)
St. Jude keychain (green leather)	Gershwin CD - performed by GLAD	Ipack Backpack - camo blk/y/w
pink animal pin	Leather bracelet	Men's black belt
wounded warrior pin	Nike women's headband	Women's small hand bag - silver
live, laugh, love key chain	Leather wallet w/ panther - black	Diary/notebook - purple/wht
Walmsrt Gift Card \$25.00	Panama Jack hat	Noise reduction headphones - pink
Chipotle Gift Card \$10.00	Book- Ptolemy's Gate	Marine coin "Semper Fi"

MISC FITNESS EQUIPMENT: (23 ITEMS)	LINE #2
Go Fit waist band - black	Harbinger - lifting belt with chain
2 Finis Snorkels	Orange exercsize stretch band
12 swim goggles	2 Harbinger wrist straps
swim cap and goggles	2 Hand weights (blk/prpl)
Leather lifting belt - blk/large	

MISC. ELECTRONICS: (26 ITEMS)	P/N	S/N
Magtek Card Reader	30050200	98c898a90913190d
Magtek Card Reader	30050200	98c898a90518090d
Magtek Card Reader	30050200	98c898a90206170d
Magtek Card Reader	30050200	98c898a909141e0d
Magtek Card Reader	30050200	98af18a70b0b170c
Magtek Card Reader	210401109	n/a
Magtek Card Reader	21073075	81c9c82
Magtek Card Reader	21073075	81c9c80
Magtek Card Reader	21073075	81c9c85
Orbit Barcode Scanner	MS7120	2s10451053
Orbit Barcode Scanner	MS7120	2s10260565
Aires Technologies Infinity Protector w/ blk sheath	n/a	n/a
7 pairs of ear buds	n/a	n/a
6 USB charger cords	n/a	n/a
Sony earphones	n/a	n/a

VEHICLES TO BE SOLD AT AUCTION ON 10/12/19

<u>Vehicle Description</u>	<u>VIN Number</u>	<u>Department</u>
2008 Mercury Gran Marquis	2MEFM75V18X650611	Police
2001 GMC Sierra-C350	1GTHC24491Z316495	Public Buildings

RESOLUTION NO. 144-19

**A RESOLUTION PROCLAIMING OCTOBER 4, 2019
AS "MADE IN MEDINA COUNTY DAY"**

WHEREAS: The Mayor and Medina City Council desire to acknowledge the investments and contributions made by local manufacturers to the economy of Medina County, and to show their dedication to maintaining a friendly business climate; and

WHEREAS: Medina County is home to nearly 300 manufacturing companies, who employ nearly 9,000 workers making products that are sold throughout the world; and

WHEREAS: We respect all those who proudly stand behind the goods and services Made in the City of Medina and Medina County, and honor those who continually invest in manufacturing innovation; and

WHEREAS: Manufacturing is a cornerstone of the Medina County economy, and we commend and support this important industry; and

WHEREAS: This industry will be celebrated during the Made in Medina County Manufacturing Expo event being held on October 4, 2019 to showcase products manufactured in Medina County, and to raise awareness and educate residents, students, and businesses as to the economic importance and career opportunities offered by the manufacturing industry.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the City Of Medina, Ohio:

SEC. 1: That they hereby proclaim October 4, 2019 to be "Made in Medina County Day."

SEC. 2: 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

ORDINANCE NO. 145-19

AN ORDINANCE AUTHORIZING THE MAYOR TO SOLICIT REQUESTS FOR PROPOSALS (RFP's) FOR DRUG SCREENING AND ASSOCIATED PROFESSIONAL SERVICES FOR THE EMPLOYEES OF THE CITY OF MEDINA.

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

SEC. 1: That the Mayor is hereby authorized and directed to solicit Requests for Proposals (RFP's) for drug screening and associated professional services for the employees of the City of Medina.

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.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 146-19

AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE (1) 2020 F150 WITH F-SERIES FOUR WHEEL DRIVE CAB AND CHASSIS AND UTILITY BED FROM MONTROSE FORD FOR THE WATER DEPARTMENT.

WHEREAS: In accordance with ORC 125.04 the City of Medina, Ohio requested authority to participate in State contracts which the Department of Administrative Services has entered into for the purchase of supplies, services, equipment and certain materials; and

WHEREAS: The request for participation provides for the waiving of the state and local competitive bidding requirements and allows the City the ability to purchase from centralized state contracts; and

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

SEC. 1: That the purchase of one (1) 2020 F-150 4x4 Pickup Truck and one (1) 2020 F Series SD 350 Four Wheel Drive Cab and Chassis with a Utility Bed mounted on the same through the Community University & Education (C.U.E.) Purchasing Association and Montrose Ford, is hereby authorized for the Water Department.

SEC. 2: That the funds to cover this purchase, in the amount of \$69,500.00, are available in Account No. 513-0533-54417.

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

RESOLUTION NO. 147-19

A RESOLUTION AUTHORIZING AN APPLICATION FOR GRANT ASSISTANCE FROM THE OHIO DEPARTMENT OF TRANSPORTATION - OFFICE OF AVIATION FOR FUNDING UNDER THE OHIO AIRPORT GRANT PROGRAM FOR THE EXTENSION OF THE NORTH-SOUTH TAXIWAY AT THE MEDINA MUNICIPAL AIRPORT.

WHEREAS: The City of Medina intends to apply to the Ohio Department of Transportation – Office of Aviation for funding under the Ohio Airport Grant Program for the Extension of the North-South Taxiway at the Medina Municipal Airport; and

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

SEC. 1: That the Mayor is hereby authorized and directed to file an application for grant assistance with the Ohio Department of Transportation - Office of Aviation for the Ohio Airport Grant Program for the Extension of the North-South Taxiway at the Medina Municipal Airport.

SEC. 2: That if the grant is awarded to the City of Medina, the Mayor is hereby authorized to accept the grant and enter into an agreement with the Ohio Department of Transportation - Office of Aviation for the implementation and administration of the grant.

SEC. 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution 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

ORDINANCE NO. 148-19

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO TASK ORDER #2 TO THE AGREEMENT WITH DELTA AIRPORT CONSULTANTS, INC. FOR PROFESSIONAL SERVICES AT THE MEDINA MUNICIPAL AIRPORT RELATIVE TO THE EXTENSION OF THE NORTH-SOUTH RUNWAY.

WHEREAS: The City sought proposals from qualified engineers to perform certain engineering services for the Medina Municipal Airport; and

WHEREAS: Ordinance No. 96-19, passed June 24, 2019, authorized an agreement with Delta Airport Consultants, Inc. to perform certain engineering services for projects during the calendar years 2019 and 2020; and

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

SEC. 1: That the Mayor is hereby authorized and directed to enter into Task Order #2 to the Agreement with Delta Airport Consultants, Inc. relative to the extension of the North-South Runway at the Medina Municipal Airport.

SEC. 2: That that a copy of the Task Order is marked Exhibit A, attached hereto and incorporated herein.

SEC. 3: 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. 4: That the funds to cover this order, in the amount of \$160,000.00, are available in Account No. 547-0658-54411.

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

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

Effective date --

ORD 148-19

**TASK ORDER NO. Two (2)
PROFESSIONAL SERVICES AGREEMENT**



**DELTA AIRPORT
CONSULTANTS, INC.**

PROJECT: Extend North-South Taxiway

AIRPORT: Medina Municipal Airport (1G5)

DELTA PROJECT NO.: 19062

DATE OF ISSUANCE: August 21, 2019

ATTACHMENTS: 1) Scope of Services
2) Rate Schedule

METHOD OF PAYMENT: Construction Administration - Unit Price + Fixed Fee
Reimbursables - Unit Price

TASK ORDER AMOUNT: \$ 160,000

CONTRACT TIME: 30 Days Construction Contract Time

PROJECT DESCRIPTION:

- Construction Engineering/Administration (CA) Services
- Resident Project Representative (RPR) Services
- Construction Quality Acceptance (QA) Testing Services
- Pen & Ink Changes to ALP
- As-built AGIS Surveying Services

The original Agreement for Professional Services between the City of Medina(OWNER) and Delta Airport Consultants, Inc., (CONSULTANT) for Professional Services at Medina Municipal Airport dated June 24, 2019, shall govern all TASK ORDERS executed under this Agreement unless modified in writing and agreed to by CONSULTANT and OWNER.

ACCEPTED: Douglas E Sander
2019.08.21 12:03:40-04'00'

by: _____

Douglas E. Sander, P.E.
Vice President
Delta Airport Consultants, Inc.
20545 Center Ridge Road #450
Cleveland, Ohio 44116

APPROVED:

by: _____

Dennis Hanwell
Mayor
City of Medina
132 N. Elmwood Ave.
Medina, Ohio 44256

**ATTACHMENT 1
SCOPE OF SERVICES**



Extend North-South Taxiway
Medina Municipal Airport (1G5)
Delta Project No. 19062

August 21, 2019

PHASE	DETAILED TASKS
CONSTRUCTION ADMINISTRATION (CA)	Grant Applications Grant Funding Assistance Owner Coordination Release for Construction Drawings Coordinate Subconsultants Project Correspondence Preconstruction Meeting Shop Drawing Review Construction Administration Site Visits Punchlist Inspection Final Inspection Record Drawings Final Project Report Reimbursement Requests (3)
ALP/AGIS	Airport Layout Plan Pen & Ink Changes As-built Conditions AGIS Survey Coordination
RESIDENT PROJECT REPRESENTATIVE	Field Representative

ITEMS NOT INCLUDED IN SCOPE: Construction Document Preparation and Bidding Costs.

**ATTACHMENT 2
RATE SCHEDULE**



Delta Airport Consultants, Inc.
Date: April 5, 2018

<u>Item</u>	<u>2019</u>
Work Hours Billing Rates (with overhead)	
Principal	\$250
Project Manager/Registered Professional	\$214
Design Professional (Engineer/Planner)	\$138
Project Production/Administration	\$109
Field Representative	\$99
Direct Nonsalary Expenses	
Automobile (per mile)	Federal Gov. guidelines
Aircraft (per mile)	Federal Gov. guidelines
Per Diem - Resident Project Rep	Federal Gov. guidelines
Long term - meals & lodging (per cal day)	
Airline, Rental Car, Charter, etc.	Direct
Printing	Direct
Bid Advertisement	Direct
Meals, Lodging, etc. (short term)	Direct
Miscellaneous	Direct
Subcontracted Services	Direct
Delta Profit	Fixed Fee

Notes:

1. Billing rates for future years will be increased by 3% annually.
2. Billing rates based on estimated 2019 salaries (i.e.: 2018 salaries plus 3% inflation).
3. Work hour rates include labor overhead, general & administrative overhead per FAA AC 150/5100-14E, paragraph 4-10

ORDINANCE NO. 149-19

AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE (1) 2020 CHEVROLET 5500HD LCF DIESEL DUMP TRUCK FROM NATIONAL AUTO FLEET GROUP TO BE USED BY THE PARKS DEPARTMENT.

WHEREAS: In accordance with ORC 125.04 the City of Medina, Ohio requested authority to participate in State contracts which the Department of Administrative Services has entered into for the purchase of supplies, services, equipment and certain materials; and

WHEREAS: The request for participation provides for the waiving of the state and local competitive bidding requirements and allows the City the ability to purchase from centralized state contracts; and

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

SEC. 1: That the purchase of one (1) 2020 Chevrolet 5500HD LCF Diesel (CT51003) 2WD Reg Cab 109” chassis equipped with a Galion Stainless Steel Dump Body and Equipment under the Sourcewell (formerly NJPA) Contract #120716-NAF (Member Number #29417), is hereby authorized to be used by the Parks Department.

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 purchase, in the amount of \$71,888.74, are available in Account No. 001-0210-54417.

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: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

ORDINANCE NO. 150-19

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A RIGHT OF WAY AGREEMENT WITH THE WHEELING AND LAKE ERIE RAILWAY COMPANY, RELATIVE TO THE SOUTH ELMWOOD BRIDGE PROJECT.

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

SEC. 1: That the Mayor is hereby authorized and directed to execute a Right of Way Agreement with the Wheeling and Lake Erie Railway Company, relative to the South Elmwood Bridge Project, City of Medina Project #925.

SEC. 2: That a copy of the Right of Way 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: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

AGREEMENT

ORD. 150-19
Exh. A

September 9, 2019

Wheeling and Lake Erie Railway
Company 100 East First Street
Brewster, Ohio 44613

Attention: Jeffery A. Davis Jr.
Director of Real Estate

Subject: City of Medina project #925: South Elmwood Bridge Replacement
Railroad Agreement

AARDOT: 002 087 A
Milepost: 140.18
Record ID: 6005

Dear Mr. Davis:

City of Medina Project #925 will remove and replace the existing bridge located on S. Elmwood Street just north of the Wheeling & Lake Erie Railway (W&LE) rail crossing on S. Elmwood (AAR DOT #002 087 A). The new bridge structure will consist of a 22 feet long by 38 feet wide 3-sided box culvert. While no work is planned on the W&LE crossing, a portion of both the existing and future culvert extends into W&LE right of way.

The City of Medina and W&LE Railway agree that the work to be performed adjacent to the W&LE Railway crossing AARDOT 002087A as part of the S. Elmwood Bridge replacement project will improve the safety and operation of the roadway. W&LE Railway and the City of Medina further agree upon the portion of the proposed work to be done by each party, and the proportion of costs and expenses to be paid by each party as follows:

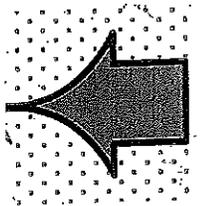
1. All work performed by the City of Medina's contractor will be at no cost to the W&LE Railway and will be in accordance with the approved City Project #925 plans, specifications and the attached Special Clauses in the Proposal.
2. During the performance of the work, temporary construction clearances of 22'-0" vertically above the top of rail and 8'-6" horizontally from the nearest rail of any track shall be maintained to any form work, false work or other temporary obstruction.
3. The City of Medina's contractor will not be allowed to commence work on or over W&LE Railway property until the following conditions have been met:
 - a) The City of Medina has received written or email notice from the W&LE Railway approving the City of Medina's final construction plans for Project #925.

- b) The City of Medina has received written or email notice from the W&LE Railway that the contractor's Railroad Protective Liability Insurance policy is satisfactory.
 - c) The Medina County Engineer has received written or email authorization from the W&LE Railway to begin work on W&LE Railway property. The authorization will include the name and telephone number of the local W&LE representative who must be contacted to arrange for flag protection.
4. Contingent upon meeting the requirements indicated above, the W&LE Railway shall permit the City of Medina and/or its contractor to enter upon lands owned or operated by the W&LE Railway to construct the work described herein.
 5. All work performed will be in accordance with good engineering practice and the attached Special Clauses.
 6. The W&LE Railway will attend the project meetings as necessary conducted by the City of Medina. The scheduling and coordination of the work to be performed by the City of Medina County Engineer's contractor will be reviewed at the project meetings.

If you agree with the terms of this letter, please indicate your concurrence by signing in the space below and return one copy of this signed letter to me.

Sincerely,

Dennis Hanwell
Mayor, City of Medina



Accepted by Wheeling and Lake Erie Railway Company

By: _____ (Signature)

_____ (Print)

Title: _____

Date: _____

SPECIAL CLAUSES

**CITY OF MEDINA PROJECT #925
SOUTH ELMWOOD BRIDGE REPLACEMENT RAILROAD AGREEMENT**

WHEELING AND LAKE ERIE RAILWAY

AARDOT: 002 087 A
Milepost: 140.18
Record ID: 6005

SPECIAL CLAUSES

The contractor for this improvement agrees:

1. To cooperate at all times with the local officials of the railroad company.
2. To use all reasonable care and diligence in the work in order to avoid accidents, damage or unnecessary delay to, or interference with the trains and other property of the railroad company.
3. To conduct his work in a manner satisfactory to the Chief Engineer of the railroad company or his authorized representative, to perform his work in such manner and at such time as not to unnecessarily interfere with the movements of trains or railroad traffic, and to hold his work at all times open to inspection of railroad company inspectors.
4. To cooperate with any public utility, railroad or other organizations having occasion to do work on or in connection with the improvement.
5. To not enter or use railroad property without written permission of the railroad company and to leave the railroad roadbed and property in a condition acceptable to the Chief Engineer of the railroad company.
6. To procure and maintain Railroad Protective Liability Insurance as follows:

With respect to the operations he or any of his sub-contractors perform, he shall provide Railroad Protective Liability Insurance for and in behalf of the WHEELING & Lake Erie RAILWAY CO., in the amount of \$5,000,000 per occurrence and subject to that limit per occurrence, an aggregate limit in the amount of \$10,000,000 for each annual period.

The Railroad Protective Liability Insurance policy shall conform to the Railroad Liability requirements prescribed by the Federal Highway Administration in Federal-Aid Policy Guide 23 CFR 646A as amended.

The Railroad Protective Liability Insurance policy shall be with an insurance company authorized to do business in the State of Ohio by the Ohio Department of Insurance and shall be kept in effect until all work required to be performed under the terms of the contract is satisfactorily completed as evidenced by the formal acceptance by the Medina County Engineer. The policy shall include thirty (30) days canceling notice.

The cost of the Railroad Protective Liability Insurance policy will be borne by the City of Medina, to be paid through a specific bid item.

The corporate name and address of the "Named Insured" as listed on the policy shall be as follows:

Wheeling & Lake Erie Railway Co.
100 E. First Street
Brewster, OH 44613

The Railroad Protective Liability Insurance policy shall be taken out before the contract is executed by Medina County. Email copies of the policy to:

Jeffery A. Davis Jr.
Director of Real Estate
Wheeling & Lake Erie Railway Co.
jdavisjr@wlerwy.com

Patrick J. Patton P.E.
City of Medina Engineer
ppatton@medinaoh.org

The number of trains operating through the improvement is estimated to be:

0 Passenger trains per day @ N/A miles per hour

5 Passenger trains per day @ 25 miles per hour

7. The railroad company will assign, and the City of Medina's contractor will pay for (through a specific bid item) railroad flaggers or other protective services and devices as necessary to insure the safety and continuity of the work to be performed as a part of this contract. Said services and devices will be provided when necessary, as determined by the railroad company, because of any of the contractor's operations over, under or adjacent to tracks over which trains are operating. The provision of such protective personnel and devices does not relieve the contractor from the liability of payment for damage caused by his operations.

- a) Such protection will be required when men or equipment are working within clearance limits of 15 feet of a rail or when work being performed adjacent to operating tracks may present hazards to tracks, train operation, or when equipment does or may infringe upon such limits; these times include during concrete placement (for footings and abutment walls), during placement of the box culvert sections, and during placement of concrete pavement abutting the railroad tracks.
- b) The contractor will not be permitted to operate any of his own equipment on railroad tracks except under an acceptable arrangement with the railroad company. Such equipment and the operation of such equipment, or equipment rented from the railroad company, shall be arranged for by the contractor with the railroad company and the cost for its use, including protection of railroad traffic, shall be borne by the contractor.
- c) The contractor shall notify the following named individual for the railroad company at least 30 days, or as directed by the authorized representative of the railroad, in advance of starting any work which might require protection:

Heidi Rowlands
Wheeling & Lake Erie Railway Co.
100 East First St.
Brewster, OH. 44613
Telephone: 330-767-7229
hrowlands@wlerwy.com

- d) The contractor shall notify the railroad at least 5 working days in advance of suspending or ceasing operations that require a flagger.
 - e) Railroad protective personnel assigned to the project will be responsible for notifying the Medina County Project Engineer upon arrival at the job site on each day that protective services are provided. The Project Engineer will document such notification in the project diary.
9. To pay the railroad or owning company for any changes, requested for his convenience, to railroad property, facilities, wire, fiber optic and/or pipe lines other than shown on the plans for the project.
10. If at any time the highway contractor desires a temporary crossing of the railroad's tracks, he shall make a request for a temporary crossing from the railroad. If approved, he shall arrange with the railroad company, execute its regular form of private grade crossing agreement covering the crossing desired, paying all construction, maintenance, removal, protection and other costs.

11. Methods and procedures for performing work on property of the Wheeling & Lake Erie Railway Co. must be approved by the Chief Engineer of the railroad company. Plans and documents shall be submitted to:

Jeffery A. Davis Jr.
Director of Real Estate
Wheeling & Lake Erie Railway Co.
100 East First St.
Brewster, OH. 44613
jdavisjr@wlerwy.com

Accepted by Lockhart Concrete Company

By: _____ (Signature)

_____ (Print)

Title: _____

Date: _____

ORDINANCE NO. 151-19

**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>
104-0301-52215 (Donation – Medina Rotary)	1,000.00 *
104-0301-53315 (Donation – Medina Rotary)	1,500.00 *
575-0350-54420 (MCRC Capital Outlays)	581,880.42
428-0201-52215 (High Grass Expenditures)	2,500.00 *

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: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor