

MEDINA CITY COUNCIL
January 13th, 2014, Regular Session

Opening:

Medina City Council met in regular, open session on Monday, January 13th, 2014. The meeting was called to order at 7:30 p.m. by President of Council John Coyne who also led the Pledge of Allegiance.

Roll Call:

The roll was called with the following members of Council present B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Also present were the following members of the Administration: Mayor Dennis Hanwell, Keith Dirham, Greg Huber, Nino Piccoli, Jonathan Mendel, Chief Berarducci, Mike Wright and Patrick Patton.

Minutes:

Mr. Shields moved that the minutes from the December 9, 2013 Council meeting and the January 6, 2014 Organizational meetings as prepared and presented by the Clerk be approved, seconded by Mr. Simpson. The roll was called and the minutes were approved by the yeas of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Reports of Standing Committees:

Finance Committee: Mr. Coyne reported the Finance Committee met prior to Council meeting.

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

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb had no report.

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

Water & Utilities Committee: Mr. Kolesar stated he is in the process of scheduling a meeting to discuss the latest water issues with Avon Lake. Mark thanked the administration for their efforts in taking care of the water issue as quickly as they did.

Requests for Council Action:

- 14-001-1/13 – Renew CAD/RMS/Mobile System – Emergitech - Police
- 14-002-1/13 – Expenditure Over \$15,000 – Vance’s Law Enforcement – Police
- 14-003-1/13 – Expenditure Over \$15,000 – North Gateway Tire – Police
- 14-004-1/13 – Amend Codified Ordinances – Section 351.09, Loading Zones
- 14-005-1/13 – Preparation of Comprehensive Annual Financial Report – Rea & Assoc.
- 14-006-1/13 – Expenditure Over \$15,000 – Concord Road Equipment – Service
- 14-007-1/13 – Replacement of Council iPads
- 14-008-1/13 – Repealing Ord. 192-13 – Purchase Agreement Masonic Temple Co.
- 14-009-1/13 – 2013 Carryforward Appropriation Request

Reports of Municipal Officers:

Dennis Hanwell, Mayor

- 1) ACH- Automated Clearing House- Customers can sign up for automated payment from your bank account to avoid late fees and mail charges. Application forms are available at the Finance Window.
- 2) On line bill pay- Customers may also pay by credit card. Signup is on city website - www.medinaoh.org
- 3) Welcome Jansen Wehrley - New Parks Director for City. Plan is to combine Forestry, Parks, and Cemetery under Jansen's oversight, similar to Community Development Department consolidation. This will permit staff to be used from each division to where needs are greatest. We are in process of revising necessary job descriptions and creating a laborer position instead of Forester, a savings for city. These will be revised, submitted to Civil Service Commission, and then brought to Council.
- 4) Building Official replacement process - Resume's will be collected through Wednesday January 15, 2014.
Will then have panel go through the applicants and evaluate/rank them to get list of top candidates. We will work to try to schedule interviews for the end of January.
- 5) Water Issues last week- I would like to publicly acknowledge and thank the community at large for their patience, understanding, and conservation through this interruption in our water service from Avon Lake Utilities. Engineer Pat Patton has been directed to come up with plans and prices for permanent connections to Medina County water system to provide redundancy for both of our systems, as well as redundancy in water sources. We will also price and analyze the installation of a smaller water treatment facility to use Lake Medina water in an emergency. These will be presented to Council as alternatives upon completion of analysis and pricing. The innovative method of tying the city water system to county water system with hydrants at three locations was quite innovative. I was pleased to see our staff and department heads all working collectively to come up with solutions and to implement same. Staff assisted with numerous calls; PD assisted with getting Face Book updated and after hour calls; Dawn posted updates and media releases on city website and city Face Book day and night; Fire Department assisted in boosting the water input at north end of city; Service Director Piccoli, Engineer Pat Patton, and Water Supt. Bill Magargee worked literally around the clock to keep the system up and running. Last, but certainly not least, Medina County Sanitary Engineer Amy Lyon-Galvin and her staff were willing to meet with city, assist us in our time of need, and offer solutions and recommendations to keep our system operational. This speaks highly of the cooperation and assistance the city/county share with each other and we all should be proud of.
- 6) Governor John Kasich selects Medina for 2014 State of State Address- I was notified today about noon by the Governor's office that Medina was selected by the Governor

to present the 2014 State of the State address. It will be Monday, February 24, 2014 at 7 p.m. at the Performing Arts Center. A limited number of tickets will be available by lottery by contacting Nicole Kostura at the Governor's Cleveland office. This will permit the city and community to be showcased by state media, and state legislators of both the OH House of Representatives and the OH Senate. We are very thankful and appreciative of Medina being chosen for this annual address.

Keith Dirham, Finance Director, reported the following: All City residents are required to file a City Income Tax return with the Central Collection Agency. Tax returns must be filed by April 15th, 2014. The CCA offers free assistance with filling out the forms. The dates are Saturday, March 1st from 9 a.m. – 4 p.m., Wed. March 12th from 1 p.m. – 8 p.m., Wed. April 2nd from 1 p.m. – 8 p.m., and Saturday April 12th from 9 a.m. – 4 p.m., those opportunities will be held at the Medina Recreation Center. Some forms will be available here at City Hall by next week or you can print them from the city web site there is a link to it.

Greg Huber, Law Director, had no report, welcomed Jansen to his new position.

Chief Berarducci, Police Chief, had no report.

Jonathon Mendel, Community Development Director, had no report.

Chief Painter, Fire Chief, reported last spring the Insurance Services Office performed an evaluation of the City Fire Department to determine our abilities. This evaluation program is based on 4 key areas: 1. Needed fire flow – theoretical amounts of water needed for fire suppression and the ability to meet the needs. 2. Emergency Communication – emergency reporting, telecommunications, and dispatching systems. 3. Fire Department – equipment, staffing, training, distribution of fire companies, and community risk reduction. 4. Water supply – water distribution system, hydrants, and maintenance of the system.

ISO's Public Protection Classification Program plays an important role in the underwriting process for insurance companies. In fact, most U.S. insurers use the Public Protection classification information as part of their decision making when deciding what businesses to write, coverage's to offer, or fees for personal or commercial property insurance.

Chief Painter stated he is happy to report the his department rating has been upgraded from a class 5 to class 3 and that places us in the top 6% of all Ohio Fire Departments. He thanked Bill Magargee from the Water Department and Lt. Birckbichler from the Police Department for their help in the evaluation process.

Mike Wright, Recreation Center Director, reported it is once again Basketball Season at the recreation center and we have over 1,100 kids registered to play this year. The field house will be extremely busy from mid-January till the end of March. Congratulations to Jansen on his new position and looking forward to working with him.

Patrick Patton, City Engineer, reported the following: We have an active project on Highland Drive, the waterline has been completed and currently we are transferring water services from the old line to the new line and appreciate all the residential and commercial cooperation from

everyone. Storm sewer installation will begin later this week. Later this spring pavement removal and replacement will begin.

Jansen Wehrley, Parks and Recreation Director, thanked everyone for being so welcoming and he looks forward to working with everyone. The All Sports Open House is on January 18th from 10 a.m. – 2 p.m. at the Medina Recreation Center at 855 Weymouth Rd. Players and parents can register for sports with various youth and adult organizations. Additionally, the Forestry Department will begin removing ash trees in ward 2 in the next few weeks. Residents who have ash trees in their tree lawn will be notified of the removal and replacement process with a door hanger.

Nino Piccoli, Service Director, reported the following: Thanked the residents and businesses on their water conserving efforts as well as the city staff and extended a welcome to Jansen.

Notices, Communications and Petitions: There were none.

Unfinished Business: There is none.

Introduction of Visitors: Erica Graffien from the County Auditors' Office reported the following: She has brought some newsletters and the end of the year report from Mike Kovack. She also stated that the 1st half of tax bills are due by Feb. 14th. Deadline for dog licenses is January 31st.

Introduction and Consideration of Ordinances and Resolutions:

Res. 1-14:

A Resolution of the Council of the City of Medina, Medina County, and State of Ohio, certifying that when a municipal obligation was incurred sums were lawfully appropriated in the funds to satisfy the obligation and sufficient sums currently exist to satisfy this obligation according to the attached sheet(s). Mr. Shields moved for the adoption of Ordinance/Resolution No. 1-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 1-14, seconded by Mr. Simpson. Mr. Dirham stated that when the amount is over \$3,000 it has to come to Council for approval. This was part of the Splash Pad Project. 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, J. Coyne, B. Hilberg, and M. Kolesar. The roll was called and Ordinance/Resolution No. 1-14 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 2-14:

An Ordinance adopting the City of Medina Community Development Block Grant Program Citizen Participation Plan. Mr. Shields moved for the adoption of Ordinance/Resolution No. 2-14, seconded by Mr. Simpson. Mr. Mendel stated this ordinance and the next both relate to The Community Development Block Grant. This one is for the Citizen Participation Plan and required by the grant to basically codify and show the plan process. The next ordinance is to solicit requests for qualifications and proposals for a consultant to help on the CDGB programs for this coming year. The emergency on the next ordinance is to execute as soon as possible. The roll was called

and Ordinance/Resolution No. 2-14 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Ord. 3-14:

An Ordinance authorizing the Mayor to solicit Request for Qualifications (RFQ's)/Requests for Proposals (RFP's) for consultant services for the FY14 City of Medina Community Housing Improvement Program (CHIP) and Community Development Block Grant (CDBG) Program applications, including administration and implementation, and to award RFQ/RFP to the successful bidder. Mr. Shields moved for the adoption of Ordinance/Resolution No. 3-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 3-14, seconded by Mr. Simpson. Mr. Mendel explained this ordinance with the last ordinance. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 3-14 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Ord. 4-14:

An Ordinance amending Ordinance No. 154-13, passed September 23, 2013 relative to RFP's/RFQ's for a consultant related to the creation of a Downtown Strategic Plan for the City of Medina. Mr. Shields moved for the adoption of Ordinance/Resolution No. 4-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 4-14, seconded by Mr. Simpson. Mr. Mendel stated this ordinance is to increase the amount being provided by the city to help pay for the plan with the consultant. Ordinance 5-14 is to authorize the hiring of OHM advisors to be the professional services to execute the Downtown Strategic Plan for the City of Medina. The emergency clause is requested for both to get this project moving as quickly as possible as to prevent any further delay. The roll was called on adding the emergency clause and was approved by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 4-14 passed by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 5-14:

An Ordinance authorizing the hiring of OHM Advisors for professional services to develop a Downtown Strategic Plan for the City of Medina. Mr. Shields moved for the adoption of Ordinance/Resolution No. 5-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 5-14, seconded by Mr. Simpson. Mr. Mendel explained this ordinance with the last ordinance. 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, J. Coyne, B. Hilberg, and M. Kolesar. The roll was called and Ordinance/Resolution No. 5-14 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 6-14:

An Ordinance amending Section 31.11 of the Salaries and Benefits Code of the City of Medina, Ohio relative to Holiday Pay. Mr. Shields moved for the adoption of Ordinance/Resolution No. 6-14, seconded by Mr. Simpson. Mayor Hanwell explained the current

Salaries and Benefits Code reads the employees have to work the day before, the day after and if scheduled the day of the holiday in order to get the holiday pay unless approved by the department head. This request is to change the wording from department head to appointing authority so that there can be consistency throughout the city. The roll was called and Ordinance/Resolution No. 6-14 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Res. 7-14:

(Pulled – Hold for 1/27/13 meeting) A Resolution congratulating Michael Kovack on attaining the rank of Eagle Scout.

Res. 8-14:

A Resolution requesting the County Auditor to make tax advances during the year 2014 pursuant to Ohio Revised Code Section 321.34. Mr. Shields moved for the adoption of Ordinance/Resolution No. 8-14, seconded by Mr. Simpson. Mr. Dirham stated he has to make this request every year in order for them to be able to provide us with these advances. The roll was called and Ordinance/Resolution No. 8-14 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Ord. 9-14:

An Ordinance approving the Sixth Amendment to the City of Medina – Montville Township Joint Economic Development District and Annexation contract. Mr. Shields moved for the adoption of Ordinance/Resolution No. 9-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 9-14, seconded by Mr. Simpson. Mr. Coyne stated this sixth amendment to the JEDD agreement with Montville Township arises by including back into the JEDD agreement the concept of a net profit tax on which businesses would have to pay an income tax associated with the City of Medina's income tax of 1.25 percent on all net profit taxes generated in the JEDD. The effectiveness of this ordinance occurs upon the recording of this ordinance and it only applies to those companies that file a petition after the date of this ordinance's approval both by the City of Medina and Montville Township. This applies to future petitions filed by future businesses that want to locate within the JEDD area. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb. The roll was called and Ordinance/Resolution No. 9-14 passed by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

To be added to the agenda:

Mr. Shields moved to add Ordinance No. 10-14 to the agenda, seconded by Mr. Simpson. The roll was called and Ordinance/Resolution No. 10-14 was added by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 10-14:

An Ordinance repealing Ordinance No. 192-13, passed November 25, 2013, relative to the Purchase Agreement with the Masonic Temple Co., for the purchase of the property located at 140 West Liberty Street, Medina, Ohio. Mr. Shields moved for the adoption of

Ordinance/Resolution No. 10-14, seconded by Mr. Simpson. Mr. Coyne explains we recently found out the leadership at the Masonic Temple did not believe or was not aware of the contract being in place and they sent over a counter offer which was discussed prior to this meeting in Finance. Our offer which was our final offer and thought the deal was completed through the negotiations is no longer reality for us. We may go back into discussions with them or make a determination of how we will proceed. In order to do that we need to repeal the ordinance that authorizes the mayor to execute the purchase agreement. The roll was called and Ordinance/Resolution No. 10-14 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg

Council Comments:

Mr. Simpson acknowledges the exceptional dedication from all our department heads through the water crisis and the inclement weather.

The foundation called Tunnels to Tower was set up after 911 to honor and take care of some of our fallen heroes, this foundation has raised millions to help families. They are also involved with the Wounded Warrior Project and have taken some of the most seriously injured soldiers and help build special equipped homes for them. \$28,000 was raised by Medina during a 5K race to raise money. A movie presentation called Travis's Story is about one of the wounded warriors and a house being built for him. It will be shown at the Community Theater (old Medina Theater) Thursday, January 23rd.

Mr. Shields, Mr. Lamb and Mr. Hilberg thanked the entire administration and the Mayor on their dedication concerning the water crisis.

Mr. Lamb stated the Rocky River Watershed is having its annual meeting on Wed. Jan. 22nd at Allerdale Park in the Medina Co. Parks at 7 p.m.

Mr. Kolesar welcomed Jansen to the Parks Director position and is looking forward to working with him in the Ward 3 Parks.

Mr. Rose passed on compliments received from many residents during the water crisis who were very impressed. Job well done City of Medina Administration.

Adjournment:

There being no further business before Council, the meeting adjourned at 8:12 p.m.

Kathy Patton, Clerk of Council

John M. Coyne, President of Council