

MEDINA CITY COUNCIL
May 27th, 2014, Regular Session

Opening:

Medina City Council met in regular, open session on Tuesday, May 27th, 2014. The meeting was called to order at 7:30 p.m. by President of Council John Coyne. Brownie Troop 90022 from Northrup Elementary with Elizabeth Craig their Troop Leader led the Pledge of Allegiance.

Roll Call:

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

Also present were the following members of the Administration: Mayor Dennis Hanwell, Keith Dirham, Greg Huber, Patrick Patton, Nino Piccoli, Mike Wright, Dave Birckbichler, Chief Painter, Jansen Wehrley, Jonathon Mendel and Kimberly Rice.

Minutes:

Mr. Shields moved that the minutes from the May 12th, 2014 Council meeting as prepared and presented by the Clerk be approved, seconded by Mr. Simpson. The roll was called and the minutes were approved by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated the next meeting is June 9th, 2014 prior to Council.

Health, Safety & Sanitation Committee: Mr. Rose had no report but will be scheduling a meeting in June.

Public Properties Committee: Mr. Shields stated they met last week to discuss the city pool and there is one pool item on the agenda tonight.

Special Legislation Committee: Mr. Lamb will announced he will be scheduling meeting in late June.

Streets & Sidewalks Committee: Mr. Simpson plans to hold a meeting in June.

Water & Utilities Committee: Mr. Kolesar had a meeting on May 22nd, recommendation from Utility Rate Review was discussed on the upcoming water rate increases. There was a RCA voted on tonight at finance and legislation will be before council at the next meeting. Expect a 5% water rate increase.

Requests for Council Action:

Finance Committee

14-110-5/27 – Budget Amendments

14-111-5/27 – Payment Over \$3,000 – Medina Hospital

14-112-5/27 – Purchase (3) 2014 Ford Police Interceptors – Police

14-113-5/27 – Contract for Priority Dispatch for Police

14-114-5/27 – Contract for PROQA Priority Dispatch Interface for Police

14-115-5/27 – 2013 Financial Audit – Contract Modification – Rea & Assoc.

14-116-5/27 – RFP's – Case Management Software for Municipal Court

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- 14-117-5/27 – Economic Development (TREX) Transfer Form
- 14-118-5/27 – Collective Bargaining Agreement – Patrol and Sergeants
- 14-119-5/27 – Payscale and Healthcare Adjustment – Non-Union
- 14-120-5/27 – Declaration of Necessity – Tax Levy Renew
- 14-121-5/27 – Qualification Statements – Professional Design Services Municipal Courthouse

Special Legislation Committee

- 14-122-5/27 – Adopt Point of Sale Inspection Legislation

Health, Safety & Sanitation Committee

- 14-109-5/22 – Utility Rate Review Commission Recommendation – Sanitation Rates
- 14-123-5/27 – Police Department Reorganization

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported the following:

- 1) New City Website- Some adjustments still being made and information uploaded, but please let us know of any concerns or suggestions. Daily more information is added.
- 2) Memorial Day parade/service at cemetery- All went well and were very well attended. The Square and cemetery looked excellent- well done Jansen and parks staff.
- 3) Flower pots were placed last week to beautify our downtown and city buildings. These continue to be a source of positive comments from community and visitors.
- 4) Friday Night Band Concerts- Public Square on Friday nights in June and July starting at 8:30 p.m. Parking is prohibited and posted as tow away zone for private lots on north side of Second Sole, Eli's Marie's Café, Lager and Vine and Four Ladies and more... It is also prohibited between Lager and Vine and Four Ladies and more. Please use street parking, County Administration Building and court lots, as well as any city lots, city hall, and/or Medina Municipal Court.
- 5) Medina County Veteran's Hall Capital Campaign is having Dining for Veteran's events in Medina area with portion of proceeds going to renovations to the Medina County Veteran's Hall on North Broadway Street. Next events are June 3 at Eat n Park from noon to 8 p.m. for dining in and carryout with 10% of proceeds going to campaign; June 23 at Buffalo Wild Wings from 11 a.m. to 11 p.m., dine in or carry out with 20% of proceeds going to campaign. List of these and upcoming events is posted at Medina City Hall.

Keith Dirham, Finance Director, the first four items on the agenda originated in finance and will be addressed when presented. We've been providing information for Utility Rate Review and the various committees on the utility rates and working with departments on the budgets which are forth coming for our next budget hearing.

Greg Huber, Law Director, had no report.

Dave Birckbichler, Police Department, had no report.

Kimberly Rice, Economic Development Director, reported they had their 2nd open house meeting for the Downtown Strategic Plan and it was well attended. We will have a draft for your review at the next meeting.

Jonathon Mendel, Planning Community Development Director, had no report.

Chief Painter, Fire Chief, had no report.

Mike Wright, Recreation Center Director, reported the following: The Rec. Center offers a fantastic Summer Camp program for kids ages 5-12 with countless activities and fieldtrips. Sign up starts June 2nd – June 6th program ends August 11th – 15th. Sign up for one week or multiple weeks. Summer Camp hours are M-F 8 a.m. - 5 p.m., we offer early morning drop off and after 5 p.m. pick up. Info on our website at www.medinarec.org or call 330-721-6900. The next Rec. Center Advisory Board meeting is cancelled for May, and our next meeting is Thursday, June 19th at 7:30 a.m.

Jansen Wehrley, Parks and Recreation Director, reported the following: He thanked the Parks Department employees on getting the Cemetery and the Square ready for Memorial Day. Bridges were washed out on the mountain bike trails at Huffman and Cunningham Park and are closed for now and should be open by the first week of June. Fred Greenwood Splashpad is open from 11 a.m. to 8 p.m. Ray Mellert's Splashpad will be open Thursday, May 29th 12 p.m. to 8 p.m.

Patrick Patton, City Engineer, reported the following:

As you all know we had a tremendous amount of rain on May 12th and over 80 homes reported flooded basements. We have been out assessing our system in those areas to make sure there is nothing we can do in the short term to resolve a problem. We will be working with the county in the next several months to assess all these areas. We had some blocks that were hit hard and never hit before and seemingly had no issues there. According to some radar portions of Central and Northern Medina County received 3.28 inches of rain in 80 minutes.

Nino Picolli, Service Director, reported they resurfaced the areas of North Court Street that were milled out due to pot holes. We are currently repairing the tree lawns where snowplows may have scraped in some cul-de-sacs and restoration of tree lawns where there were some water breaks.

Notices, Communications and Petitions: There were none.

Unfinished Business: There was none.

Introduction of Visitors: There were none.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 83-14:

An Ordinance establishing an Unclaimed Monies Fund. Mr. Shields moved for the adoption of Ordinance/Resolution No. 83-14, seconded by Mr. Simpson. The roll was called and Ordinance/Resolution No. 83-14 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Res. 84-14:

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. 84-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 84-14, seconded by Mr. Simpson. Mr. Dirham explained this was to repair a water line during the ODOT project on SR 3. Emergency is needed because the work has already been done and we need to pay the vendor. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, B. Hilberg, B. Lamb, P. Rose, J. Shields, and D. Simpson. 6-1 asb. (MK). The roll was called and Ordinance/Resolution No. 84-14 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg. 6-1 abs. (MK)

Res. 85-14:

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. 85-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 85-14, seconded by Mr. Simpson. Mr. Dirham explained this was for a roof repair due to leaking. The work has been completed and the emergency clause is for payment of vendor. The roll was called on adding the emergency clause and was approved by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose. The roll was called and Ordinance/Resolution No. 85-14 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Ord. 86-14:

An Ordinance amending Ordinance No. 208-13, passed December 9, 2013.

(Amendments to the 2014 Budget) Mr. Shields moved for the adoption of Ordinance/Resolution No. 86-14, seconded by Mr. Simpson. Mr. Dirham explained the first three additions are for the Lake Rd. Phase 2 project, the fourth is a replacement for some of the reductions that he will get to below. The final addition is to appropriate money from the trust funds we have for police equipment, that money can only be used for that purpose, they approved the purchase at finance and this is the appropriation for it. The reductions are to reduce the unspent appropriations from last year that were re-appropriated this year in the water and sanitation utility billing accounts. The roll was called and Ordinance/Resolution No. 86-14 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Ord. 87-14:

An Ordinance authorizing the Mayor to solicit Requests for Qualifications (RFQ'S) from qualified professionals for Design-Build Services for the Champion Creek Streambank and Riparian Restoration. Mr. Shields moved for the adoption of Ordinance/Resolution No. 87-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 87-14, seconded by Mr. Simpson. Jonathan Mendel stated this is to move along on the design and build for the restoration of the Champion Creek that runs through the southern portion of the downtown about 2,000 ft. starting at Elmwood Ave. running east toward the former Bennett Lumber. Emergency clause is to get this moving forward. 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. 87-14 passed by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 88-14:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contrast to the successful bidder for the Lake Road Reconstruction, Phase 2 Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 88-14, seconded by Mr. Simpson. Mr. Patton stated phase two is between Lafayette and West Smith Rd. this will be the 4th of 5 projects in the industrial area. The project will replace all the pavement, water lines and storm sewers. The roll was called and Ordinance/Resolution No. 88-14 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 89-14:

A Ordinance amending Section 31.07 of the Salaries and Benefits Code of the City of Medina, Ohio by accepting the job description for the position of Intern for the Economic Development and Planning Departments. Mr. Shields moved for the adoption of Ordinance/Resolution No. 89-14, seconded by Mr. Simpson. This request is to amend the job description for our intern in the Community Development dept. to reflect current projects and current duties, the civil service commission reviewed it. The roll was called and Ordinance/Resolution No. 89-14 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar. 1 Nay (BL)

Ord. 90-14:

An Ordinance authorizing the Mayor to commence a Qualification Based Selection Process for professional design services for the improvements to the Memorial Park Pool and Facilities. Mr. Shields moved for the adoption of Ordinance/Resolution No. 90-14, seconded by Mr. Simpson. Jansen Wehrley explained this is so we can review and rank the statements and determine the most qualified firm for the project. They will provide design services for the improvements at Memorial Park Pool and facilities. This is our next step in moving forward with this project. The roll was called and Ordinance/Resolution No. 90-14 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Res. 91-14:

A Resolution authorizing the filing of an application for grant assistance from the Ohio Development Services Agency, Office of Housing and Community Development, in connection with the Small Cities Community Development Block Grant (CDGB) Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 91-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 91-14, seconded by Mr. Simpson. Mr. Mendel stated this includes several different grant applications, the allocation grant, the downtown revitalization grant and a critical infrastructure grant. Emergency clause is requested so that application can be made for this by June 6th. 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. 91-14 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Res. 92-14:

A Resolution authorizing the Mayor to enter into a Partnership Agreement with the City of Brunswick and the City of Wadsworth and to file an application for grant assistance with the Ohio Development Services Agency for a PY14 Community Housing Impact and Preservation Program Grant. Mr. Shields moved for the adoption of Ordinance/Resolution No. 92-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 92-14, seconded by Mr. Simpson. This is the application for CHIP program. This year to get more dollars for our city we will partner with Brunswick and Wadsworth which will permit \$50,000 more per entity equaling a total of 1.2 million with each city receiving \$400,000. 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. 92-14 passed by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 93-14:

An Ordinance amending Ordinance No. 39-14, passed March 10, 2014, pertaining to the Lease of Land at the Medina Municipal Airport. Mr. Shields moved for the adoption of Ordinance/Resolution No. 93-14, seconded by Mr. Simpson. Mr. Huber explained the City of Medina leases the running of the Airport to Flight Services of Medina managed and run by Mr. Olsen. Mr. Olsen in turn built some hangars and is subleasing these hangars to ten individuals who will rent space there for a 22 year length of time. This allows the City of Medina to be a party to the sublease so as to guarantee the 22 yr. term of time. The roll was called and Ordinance/Resolution No. 93-14 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 94-14:

An Ordinance ratifying the Collective Bargaining Agreement between the City of Medina and the Ohio Patrolmen's Benevolent Association for the Police Sergeants and authorizing the Mayor to execute said agreement. Mr. Shields moved for the adoption of Ordinance/Resolution No. 94-14, seconded by Mr. Simpson. Mr. Shields moved that the

emergency clause be added to Ordinance/Resolution No. 94-14, seconded by Mr. Kolesar. Mayor Hanwell stated we have been in negotiations with the Patrolman and Sergeants groups for the Police Department and we were prepared to go to arbitration. To avoid that a tentative agreement was reached that was acceptable to both unions and was presented to Finance. It follows the Fact Finders recommendation for increase in healthcare, increase in premium contributions, prescriptions and office co-pays, 2% wage increases for each year 2014, 2015, & 2016. We did not maintain the ability that the Fact Finder gave us for any new hires to be put on five 8 hour shifts instead of four 10 hour shifts as is currently in place and has been. Emergency clause is requested because under the Federal Healthcare Act, we want to implement the changes for August 1st, 2014, and are required to give a 60 day notice. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb. D. Simpson abstained. The roll was called and Ordinance/Resolution No. 94-14 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, J. Coyne, and B. Hilberg. D. Simpson abstained.

Ord. 95-14:

An Ordinance ratifying the Collective Bargaining Agreement between the City of Medina and the Ohio Patrolmen's Benevolent Association for the Police Sergeants and authorizing the Mayor to execute said agreement. Mr. Shields moved for the adoption of Ordinance/Resolution No. 95-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 95-14, seconded by Mr. Simpson. Mayor Hanwell explained the Sergeants agreement is in essence the same, they do have a rank differential so whatever raise the officers get the sergeants automatically get that. One provision I forgot was the sick time buyout they get 37 ½ % of any unused sick time they asked to increase that from maximum 360 hours to 400 hours also in the Fact Finders recommendation. If we would have gone to arbitration the city was looking to spend nearly \$5,000 as well as arbitration fees and attorney fees. 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. 95-14 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Ord. 96-14:

An Ordinance amending Section 31.03 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the salary schedules for employees not covered under current union contracts for the years 2014, 2015, and 2016. Mr. Shields moved for the adoption of Ordinance/Resolution No. 96-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 96-14, seconded by Mr. Simpson. Mr. Dirham stated this ordinance and the next ordinance are to effectively equalize due to the same thing with the non-union employees that was done. 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. 96-14 passed by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 97-14:

An Ordinance amending Section 31.14(D) and 31.16(A) of the Salaries and Benefits Code of the City of Medina, Ohio relative to Employee Healthcare. Mr. Shields moved for the adoption of Ordinance/Resolution No. 97-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 97-14, seconded by Mr. Simpson. Mr. Coyne stated that Mr. Dirham explained that this is a follow up-between the previous two ordinances related to the equalization of the non-union employees with the unionized employees. 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. 97-14 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Council Comments:

Mr. Lamb announced the CDC annual garden party is June 13th from 7 -11 p.m. Tickets are available at Cool Beans, Miss Molly's and Visitor's Bureau.

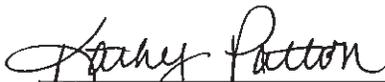
New Event called Rockin' the Court is a take-off of Highland Squares event called Porch Rockers. Sat, June 28th from 12 p.m. 4 p.m. on South Court St. There will be a variety of music and musicians, some food, balloon artist.

There will be a band concert on Friday and Farm Market on Saturday with MSM Antique Sale on square.

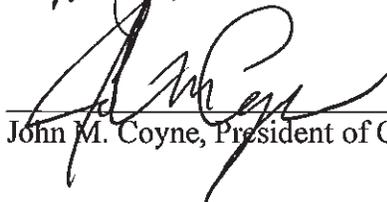
Peaceworks had \$1,000 donated by CDC.

Adjournment:

There being no further business before Council, the meeting adjourned at 8:13 p.m.



Kathy Patton, Clerk of Council



John M. Coyne, President of Council