

MEDINA CITY COUNCIL

June 22nd, 2015

Opening:

Medina City Council met in regular, open session on Monday, June 22, 2015. The meeting was called to order at 7:30 p.m. by President of Council John Coyne who led the Pledge of Allegiance.

Roll Call:

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

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

Minutes:

Mr. Shields moved that the minutes from the regular meeting on June 8th, 2015, as prepared and presented by the Clerk be approved, seconded by Mr. Simpson. The roll was called and the minutes were approved by the ye a votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated the Finance Committee met prior to Council, there are several items on the agenda. There is one more meeting before going on break.

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 had no report.

Requests for Council Action:

Finance Committee

15-111-6/22 - Budget Amendments

15-112-6/22 – Advance Request \$30,000 from Fund #574 to Fund #110

15-113-6/22 – Establish New Fund - #110 ODNR Grant Fund

15-114-6/22 – Funding for Bicentennial Celebration

15-115-6/22 – Extend Intensive Supervision Probation Grant

15-116-6/22 – Dissolve City of Medina Micro-Enterprise Revolving Fund, Combine with County

15-117-6/22 – Approve MOU between City and Montville Twp. – Fire Dept.

15-118-6/22 – Donate \$15,000 Match for America’s Best Communities Competition

15-119-6/22 – Transfer Request – MCRC Capital Contribution

15-120-6/22 – Bids, 2015 ADA Curb Ramp Program

15-121-6/22 – 2016 Tax Budget

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported the following:

- 1) **Healthy Strides** - The walks will continue at various county parks with different health professional talks and walks on the second and fourth Saturday of each month starting April 11th and concluding Oct. 24th. Good exercise, good information, and good way to see the many county parks and the amenities they have to offer. Walks and talks are both done in an hour, 9 a.m. to 10 a.m. Park locations will be on Healthy Medina Website- www.healthymedina.com or Medina County Parks website- www.medinacountyparks.com
- 2) **Community Band Concerts** - Started Friday, June 5 and each Friday night in June and July except Friday July 3rd. This concert will be Sat. July 4th at 8:30 p.m. instead of Friday. Thanks to band and board members for keeping this tradition going. Concerts start at 8:30 p.m.
- 3) **July 3 Fireworks** at dark from MHS; July 4th parade from Medina High School west lot to Public Square starts at 6 p.m. At 8:30 p.m. the Medina Community Band concert will be in honor of the late Mayor Jane Leaver.
- 4) Thanks to Montville, Medina and Lafayette Townships for their donations to the Medina area fireworks display at Medina High School. \$2500 from Medina and Montville Townships; \$1000 from Lafayette Township. Great Collaborative effort for greater Medina region.
- 5) **Jazz Under the Stars** - Next concert will be at our Public Square, Sat. July 11 from 7 p.m. to 9 p.m. The performers will be "Velvet Voyage." In case of rain the concert will be moved to United Church of Christ, Congregational, 217 East Liberty Street. See www.ormaco.org for further info.

Keith Dirham, Finance Director, stated the second group of budgets hearings started last week and will continue. There are a couple of items on the agenda he will address tonight.

Greg Huber, Law Director, had no report.

Chief Berarducci, Police Chief, had no report.

Kimberly Rice, Economic Development Director, had no report.

Jonathon Mendel, Planning Community Director, had no report.

Chief Painter, Fire Chief, had no report.

Mike Wright, Recreation Center Director, reported the following:

1. The Medina Rec. Summer Discover Camp started June 1st and runs through August 14th. You can sign your kids up for one week or the rest of the seven week summer session. For more information you can go to our website at www.medinarec.org or stop in at the front desk and ask our friendly and knowledgeable staff.
2. The Medina Rec. also wants to remind the community that we will not be hosting a Fireworks Festival at the Recreation Center this year. The facility will close at 9:00 p.m. and needs to be cleared before the fireworks can be launched.
3. The Rec's 5 day shut-down week for maintenance, repairs, and deep cleaning is Monday, July 27th thru Friday, July 31st. We will reopen on Sat, Aug 1st at 8:00 a.m.
4. Lastly, our next scheduled Rec Advisory Committee meeting will be Thursday, July 16th, at 7:30 a.m.

Jansen Wehrley, Parks and Recreation Director, reported that last week they completed the basketball court reconstruction at Reagan Park and opened it this evening. I drove by on my way here today and it was packed. We are expanding the parking lot at Fred Greenwood adding 12 spaces.

Dan Gladish, Building Official, reported Property Maintenance Code enforcement continues to keep the Building Dept. extremely busy. Due to the heavy rains, the Building Dept. is seeing an increase in the number of basement waterproofing projects. They are seeing a wide range in the project costs and Dan recommends if you are considering hiring a contractor to do the project you should get at least three estimates to compare, ask for references and follow up with references. Permits are required and provide a benefit to the property owner. It provides another set of eyes on the project and also puts a little pressure on the contractor to be thorough. We are seeing a higher number of waterproofing projects started and sometimes completed without permits or inspections. Be leery if a contractor states no permit is required. For any questions call 330-764-4652.

Patrick Patton, City Engineer, reported the BOC awarded three projects. The Ryan Rd. Reconstruction that we are teaming with the County to reconstruct between Lafayette and north of Sturbridge. This project is also a grant project. The 2015 Concrete Street Repair Program was awarded \$584,000. The 2015 Concrete Pavement Joint Sealing Project was awarded \$61,000. This week our Railroad Improvement Project begins addressing miscellaneous needs that our railroad needs to keep them in good working order.

Nino Piccoli, Service Director, reported crews have restored about 90% of the tree lawns affected from water breaks or snow plow activity over the winter. We are working to stay on top of the high grass complaints throughout the city. With all the rain it's been challenging for our contractors with the grass growing as fast as it is.

Notices, Communications and Petitions:

There were none.

Unfinished Business:

There was none.

Introduction of Visitors:

Joe Destrow, - County Commissioner of the Veterans Services is officially requesting city council to consider co-naming the section of road on Northland between North Court and Huntington Dr., to Vietnam Veterans Memorial Way. The Vietnam Veterans Memorial is located on that road right in front of our Veterans Service office. We feel that the veterans of the City of Medina and Medina County as a whole would be served by having that little stretch of road co-named to make it a little easier for people to find.

Adam Friedrich – County Commissioner resides at 82 Laurel Glens Dr.

Mr. Friedrich feels good leadership is for leaders to be able to explain to the folks that work for them or the people that they represent the why behind the decisions they make and the actions they take. Later in the meeting council will vote on the Solid Waste Plan and as a citizen, he decided to get intimate knowledge and know that Solid Waste Plan as deeply as he could. He respectfully requests that each of the councilmen who are voting against the plan that they would express the why behind that vote.

Pam Miller – 450 Woodland Dr. Medina is introducing a new community initiative The Medina Diversity Project. This year there was a panel discussion on race in Medina. The audience mostly agreed that the overriding issue in Medina is the socioeconomic divide regardless of race. Two other issues of importance are the lack of minority role models in our schools and our community institutions specifically in our Police Dept. and the impact on pay to play on participation in extracurricular activities. For the last three months they have been gathering data and having discussions and have come up with a mission statement: *To embrace and promote diversity in Medina County, through increased employment opportunities for minorities in both the public and private sectors and specifically in our schools, police departments, county and city government offices. To ensure that every child in Medina County, regardless of race or income level, has the opportunity to participate in extracurricular activities in the schools and the community.* They want to build awareness, bring people together to help attract minorities to positions at City Hall, in the Police Dept. and elsewhere. Pam Miller spoke of Medina's rich history. They are asking council to adopt a resolution, a commitment to work together to make diversity a priority, strengthen and add value to our community as a great place for families to live, work and learn.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 79-15:

An Ordinance to approve, adopt and enact current replacement pages to the Codified Ordinances of the City of Medina, Ohio. Mr. Shields moved for the adoption of Ordinance/Resolution No. 79-15, seconded by Mr. Simpson. This is an annual adoption of the new codified ordinances added to the Codified Ordinance Book. The roll was called and Ordinance/Resolution No. 79-15 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Ord. 80-15:

An Ordinance amending the Pavilion rental fees for the Parks and Recreation Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 80-15, seconded by Mr. Simpson. Mr. Wehrley stated this ordinance amends the rates, the event sizes and additional fees for the Uptown Park and Gazebo rental as recommended by the Uptown Park Advisory Committee. The roll was called and Ordinance/Resolution No. 80-15 passed by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 81-15:

An Ordinance amending Ordinance No. 37-13, passed March 11, 2013 authorizing the increase of the expenditure to T & M Associates for the administration of the USEPA Brownfield Coalition Grant. Mr. Shields moved for the adoption of Ordinance/Resolution No. 81-15, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 81-15, seconded by Mr. Simpson. Kimberly Rice stated this is to increase purchase order #20130007912 to T&M Associates from the amount of \$860,000.00 to \$899,983.98 overall increase of \$39,983.98 which was originally allocated to city personnel time, travel, equipment, supplies and other items. The funds in those categories will be reallocated to the contractual budget line item of the grant. This was done to assist with the All Fastners Project which is an industrial company that we moved to the city of Medina from Brook Park bringing 25 new jobs. Emergency needed due to grant ends on June 30th and there are outstanding invoices that need to be paid. 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. 81-15 passed by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 82-15:

An Ordinance authorizing the Mayor to accept one (1) easement necessary for the Ryan Road sidewalk project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 82-15, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 82-15, seconded by Mr. Simpson. Mr. Patton stated that council has already approved 17 easements for this project and this is the last one. Emergency is needed to continue working on the project. 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. 82-15 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

Ord. 83-15:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the installation of additional handicap parking at the Medina Community Recreation Center. Mr. Shields moved for the adoption of Ordinance/Resolution No. 83-15, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 83-15, seconded by Mr. Simpson. Mr. Patton stated Mike Wright acquired a \$30,000.00 grant from the state to install handicap parking at the Recreation Center. 100% funded by the grant. We just finalized the agreement and need the emergency to get the work done this summer. 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. 83-15 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Res. 84-15:

A Resolution to disapprove the Solid Waste Management Plan for the Medina County Solid Waste Management District. Mr. Shields moved for the adoption of Ordinance/Resolution No. 84-15, seconded by Mr. Simpson. Mr. Kolesar stated there have been many productive discussions. He will be the sole no vote for the disapproval of the Solid Waste Management Plan. He is disappointed by the performance of the recycling center. The county has put together a new plan, although he is not excited about the entire plan he thinks it is a step in the right direction, getting away from the conveyer systems and going to a single streaming system. He feels this plan is good for us and the Townships with placing of bins. It gives us the flexibility for communities like the City of Medina the opportunity to set up a curb side service that is convenient. We still need to look to the future of the CPF facility. If this plan if not accepted he thinks it will go to the states hands and then we will wait even longer to get a game plan going on how to recycle. He feels we have enough leadership and know how within the county itself that we can come up with something without the state becoming involved. Mr. Lamb stated he is not going to vote for the plan, he feels they were lied to about the previous recycling. We set up city services based on facts about the operation, about the cost and exactly what is going to happen. We haven't heard anything very factual over the last few months at all the meetings. We want to provide the best service for our residents and businesses at the best cost that we can and he does not believe what they have got from the county will allow us to do that. Mr. Hilberg agreed that this is a step in the right direction, however we had three things we wanted to see and that was increase in recycling at a reduced cost and more say in how the solid waste district was run. All of us are not convinced that the new plan based on past history is going to give that to us and for that reason he will be voting yes. Mr. Simpson stated he feels this is a step in the right direction and he applauds Mr. Friedrich. Mr. Simpson will be voting yes on this issue and one of the main reasons is over the last several years during the budget process when discussing the Service Department, he always saw the tipping fees continue to rise. He understands there is a cost of doing business but when he found out that the recycling that we were told that was being done hadn't been done and our fees still continued to go up, he was taken aback by it. Mr. Shields stated he will also be voting yes due to the recycling rate, it's not acceptable to him. For years there were recycling bins at the schools and there was great participation by the students. The Solid Waste District asked the schools to remove the bins with no other option given except the promise that those papers were being recycled. Mr. Rose has had several constituents come to him and ask him to not vote for the plan. Currently we are under a plan that was agreed to in 2009 but the county decided in January that they weren't going to do that anymore and just send everything off to a landfill someplace, so who is to say that in two or three years from now the county won't follow the plan. There are no guarantees in this agreement. At the last joint meeting we had here a gentleman from the EPA agreed with Mr. Rose in that the law that this is all based on is a bad law. It needs changed in Columbus, Ohio then come back and build our plan on that. He doesn't feel the county's money is being spent wisely on this plan that is based on a bad law and that is why he will be disapproving the plan. Mr. Coyne conveys the state average of recycling in the state throughout all the counties is 40% and this current plan provides not taking into consideration yard waste or shrinkage of material that is delivered that

just over time evaporates is under 4% and that is not acceptable. We want additional recycling, better recycling. We deserve better. Those that contribute the most money should have some or most of the say because it's their money that is operating the facility. We should have that. Additionally he believes there are current debts on the facility that are between 6 and 7 hundred thousand dollars. As long as there is debt on the facility the county can maintain flow control meaning the county can maintain that everybody in the county deliver all their trash through the central processing facility. If we don't reduce the debt then everyone in the county is paying interest on that debt and that is not necessary when there are current funds available within the fund itself to pay off that debt. These are the reasons Mr. Coyne is voting not to approve the plan. The roll was called and Ordinance/Resolution No. 84-15 passed by the yea votes of J. Coyne, B. Hilberg, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 85-15:

An Ordinance authorizing the Mayor to enter into an agreement between the City of Medina, the City of Wadsworth, and the Medina County Solid Waste District, Medina County, Ohio for Single Stream Drop Off Recycling Services.

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Ord. 86-15:

An Ordinance amending Ordinance No. 200-14, passed December 8, 2014. (Amendments to 2015 Budget) Mr. Shields moved for the adoption of Ordinance/Resolution No. 86-15, seconded by Mr. Simpson. Mr. Dirham stated these are 3 appropriation adjustments. We are loaning money from one fund to another from the rec center fund to the grant fund. Then we are going to spend the money in the grant fund and then this also will approve the repayment of it once the grant has been paid to us. The roll was called and Ordinance/Resolution No. 86-15 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

Ord. 87-15:

An Ordinance authorizing the Finance Director to make certain fund advances.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 87-15, seconded by Mr. Simpson. Mr. Dirham stated this is the advance he mentioned and is from the rec center fund to the ODNR fund. The roll was called and Ordinance/Resolution No. 87-15 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Ord. 88-15:

An Ordinance authorizing the Finance Director to make certain fund transfers.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 88-15, seconded by Mr. Simpson. Mr. Dirham stated this is an annual contribution that we make to the recreation center capital fund per the agreement the operating agreement that we have with the schools that is a \$100,000.00 per year. Additional \$25,000 request here due to billing differences as to what they charge to capital and what we charge to capital in the past. The roll was called and Ordinance/Resolution No. 88-15 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Council Comments:

Mr. Hilberg announced that the 3rd annual Ward 1 Community Block Party is scheduled for Sunday, July 12th from 2 p.m. to 6 p.m. and will be held on the Foundry St. side of Ray Mellert Park. This is a free family event for the residents, businesses and organizations of Ward 1. Free food and music.

Mr. Simpson stated he appreciates and will do everything he can to help with the Medina Diversity Project.

Mr. Kolesar stated there was a ribbon cutting at Spokes Café at 406 S. Broadway. Peace Works, Cool Beans Cafe and Edge Outdoors and many other individuals came together to provide this café that offers coffee, finger food, bike rentals. He urges the public to come down and patronize that new location. He also appreciates the Medina Diversity Project. As a proud American it boils him inside that we have come so far but yet still dragged on by racism and other situations like this. He doesn't understand or know the reason behind why there are not many minorities employed in the city. I believe we all have open equal opportunity minds.

Mr. Lamb stated that this city and administration knows a lot about how to work together. In almost everything this administration has done I think they have demonstrated an amazing ability to bring people, businesses and institutions together. We need to recognize that it's not easy, it's not an easy issue if we need to have a more diverse police dept. there are a lot of reasons that those situations occur and why they occur in a small community like ours. I know that we can improve, we just need to work at it. Mr. Lamb spoke of the ribbon cuttings and how our administration supports new businesses.

Mr. Coyne reported that on July 7th at 5:30 p.m. is another budget meeting.

Chief Berarducci stated he understands Mark Kolesars' emotions and feels the same way. He stated he has been here for six years and have hired 10 to 12 good young policeman. He doesn't care what color they are, what church they go to or what religion they are. He just wants to know that they are honest people, and that they are going to protect the people of this community. In these six years we have interviewed 100 plus applicants and there was only one African American. We have advertised that test across the country, emailed to every college we got an email for. They just finished their dispatchers list and out of all the tests we gave we had one African American apply.

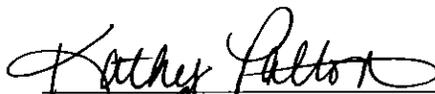
I won't insult this group because many of them are my friends by telling you why either one of them did not get the positions. Not only did they not meet his standards they didn't meet your standards either. These have to be people of integrity, willing to come here and do their job and risk their lives for the people of Medina. I will not compromise that, I will never discriminate here, I promoted the first three female detectives in the history of the city of Medina. I'm not afraid of minorities, I welcome it. Cornell has worked tirelessly as the chairman of the Civil Service Commission to give us a qualified pool of applicants and the Mayor has worked to make sure that process is fair. If you have a quota in mind that we have to hire this many minorities to be fair then you need to say that. That is not a way to build a community. He stated he thought everyone

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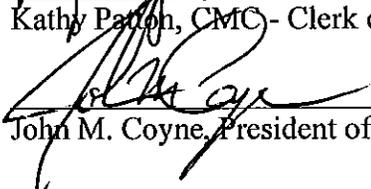
understood how hard they have worked to try and overcome those issues. You are more than welcome at any time to come to his office to look at the applicant package for every applicant for a police job. They are public record.

Adjournment:

There being no further business before Council, the meeting adjourned at 8:29 p.m.



Kathy Patton, CMC - Clerk of Council



John M. Coyne, President of Council

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