

MEDINA CITY COUNCIL

Monday, February 8th 2016

Opening:

Medina City Council met in regular, open session on Monday, February 8th, 2016. 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 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, Nino Piccoli, Patrick Patton, Chief Berarducci, Jansen Wehrley, Dan Gladish, Jonathon Mendel, Mike Wright, and Kimberly Marshall.

Minutes:

Mr. Shields moved that the minutes from the regular meeting on January 25th, 2016, 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 Finance committee met prior to Council and will meet again in two weeks.

Health, Safety & Sanitation Committee: Mr. Kolesar reported he has a meeting scheduled for Thursday, February 25th at 5:30 p.m.

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb stated they will be meeting in March.

Streets & Sidewalks Committee: Mr. Simpson stated he will schedule a meeting in March.

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

Emerging Technologies Committee: Mr. Rose had no report.

Requests for Council Action:

Addendum to RCA 16-002-1/11 – RFP’s Scanning Project for Municipal Court

16-020-2/8 – Budget Amendments

16-021-2/8 – MCRC – Senior Activities Coordinator Position Addition

16-022-2/8 – PY14 CHIP Grant – Wadsworth Reimbursement

16-023-2/8 – Expenditure Over \$15,000 – Software Solutions – Finance Dept.

16-024-2/8 – Easements for West Smith Reconstruction

16-025-2/8 – Expenditure Over \$15,000 – Lake County Sewer – Street Dept.

16-026-2/8 – Payment Over \$3,000 – Walter Haverfield

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported the following:

- 1) Working America Canvassing in City - Legislative and political advocacy as well as educational canvassing of residential areas in city starting in Jan. and going through election cycle will be conducted in city. Times of canvassing will be 4 p.m. to 9 p.m., Monday through Friday and 10 a.m. to 5 p.m. on weekends. These activities are constitutionally protected under the First Amendment and do not require registering with city for solicitor's permit, or following solicitor regulations, as they are not selling anything. Working America is not for profit 501c5 labor organization, affiliated with AFL-CIO.
- 2) Medina Ice Festival - February 12th – 15th, 2016- President's Day weekend- Ice sculptures supported by local businesses and ice carving demonstrations.
- 3) American Heart Association - Selected Healthy Medina Program as "Gold Fit-Friendly Worksite" as well as "Community Innovation Award." Great collaboration with city, Medina Hospital, and Community.
- 4) OH EPA Public Meeting - to discuss proposed Wadsworth Compressor Station. Meeting will be Tuesday, February 16, 2016, 6 p.m. at Cloverleaf Elementary School, 8337 Friendsville Rd., Seville.
- 5) Proclamation for Medina Community Band for being nationally recognized and awarded the Sudler Silver Scroll Historic Certificate. Mayor Hanwell invited up and presented the Proclamation to Marcus Neiman and Dr. Thomas Kenat, special thanks was given to John Connors.

Keith Dirham, Finance Director, Congratulated the Community Band on a well-deserved award as someone that has attended the band concerts for 40 years. Mr. Dirham stated he has a few things on the agenda he will address when they get to them.

Greg Huber, Law Director, stated Mr. Neiman was the band director when he was in high school and the quality of the band director has been high ever since he has been there. Mr. Huber also stated he has been involved in reviewing a number of police investigations in his office and wanted to say that they have hired quite a few younger officers and he would like to report to council that we have, in his opinion, a top notch group of officers who come into work for this city, and he has worked with some of these gentleman in trials and court. These are persons who are thoughtful, intelligent, and gracious in their relations with the public, I watch these video cameras regularly. You would be dismayed at the difficult situations these officers confront on a weekly basis, the likes of which would make the hair raise on the back of your neck when you watch some of these videos. These are individuals who take the guff, respond sensibly on a regular basis in such a way that really make you notice we have a really fine Police Department and I think you all need to know that.

Chief Berarducci, Police Department, thanked Greg Huber for his comments.

Kimberly Marshall, Economic Development Director, had no report.

Jonathon Mendel, Planning Community Director, reminded the community if they are

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interested in land use development in the city, we have our Boards and Commissions meetings this Thursday, February 11th, starting at 5:00 p.m.

Mike Wright, Recreation Center Director,

The Medina Rec wants to remind the community that on Friday, February 19th, from 6:30 p.m. to 9:00 p.m., the Rec is hosting “The Amazing Race Family Heart Health Challenge”! This event has easy challenges which require you to work together as a whole family and is a great way to spend time together and have some fun! The event is free to MCRC members and only \$10.00 per family for non-members and does require registration, which you can do at www.medinarec.org or at the MCRC front desk.

Dan Gladish, Building Official, had no report.

Patrick Patton, City Engineer, reported Huntington Street Project is still underway and the underground work continues. The area is quite congested as Columbia Gas is also doing their pipeline replacement. We appreciate the publics’ cooperation and patience during this time. As of this morning, both of our emergency connections to the Medina County Water System are completed.

Nino Piccoli, Service Director, reported last Monday, February, 1st Medina City Council hosted the Brunswick and Wadsworth City Councils and administrations. The OPTIVA Company came to present a new concept in a waste mall. We are proceeding with vetting for viability. There are some questions with respect to the operation, functionality, sustainability as well as financing. We will have more information as we go forward.

Approval of Mayoral Appointments:

Medina County Combined General Health – Tom Jenkins (City Rep.) – Exp. 3/2017

Board of Zoning Appeals – Brandilyn Maibach (Alternate) – Exp. 12/31/19

Mr. Shields moved to approve the Mayors appointments, seconded by Mr. Simpson. The roll was called and Mayoral appointments were passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Notices, Communications and Petition: There were none.

Unfinished Business: There was none.

Introduction of Visitors:

Erica Graffain representing the Auditor’s Office had a few reminders.

- Real Estate property taxes are due this Friday, February 12th
- Complaints against the value of property are due post marked by March 31st, 2016.

- AARP is again located at the Auditor's Office this year to help seniors with tax preparation and that is a free service and you would need to schedule your appointments through the Office for Older Adults of Medina.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 015-16:

An Ordinance amending Section 943.02(a) of the codified ordinances of the City of Medina, Ohio relative to General Regulations of Municipal Cemeteries. Mr. Shields moved for the adoption of Ordinance/Resolution No. 015-16, seconded by Mr. Simpson. Mr. Piccoli stated for the past several years in an effort to maximize the use of staff under the direction of the Parks and Recreation Director, we have cross utilized the Parks, Forestry and Cemetery personnel in that capacity. This ordinance allows for the Parks Director to be appointed designee with respect to the current Cemetery management. Service Director Nino Piccoli will still be involved as well as the Mayor and Law Director. The roll was called and Ordinance/Resolution No. 015-16 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Ord. 016-16:

An Ordinance authorizing the expenditure of \$35,000.00 to Wingfoot Commercial Tire Systems, LLC for the purchase of truck tires for the Sanitation Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 016-16, seconded by Mr. Simpson. Mr. Piccoli explained upon securing pricing quotes from different tire vendors, we request this council action for the purpose of awarding to Wingfoot for tire systems for the Sanitation Dept. The roll was called and Ordinance/Resolution No. 016-16 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Ord. 017-16:

An Ordinance authorizing the Mayor to solicit Request for Qualifications (RFQ's)/Request for Proposals (RFP's) for consultant services for the PY16 City of Medina Community Housing Impact and Preservation Program (CHIP) and Community Development Block Grant (CDGB) Grant 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. 017-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 017-16, seconded by Mr. Simpson. Mr. Mendel stated this would be for the next round of the CHIP program and allocation programs through the state distribution of CDBG dollars. The emergency is needed so we can get the process going and we need to do some public hearings prior to the application which is May 6th, 2016. 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. 017-16 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Ord. 018-16:

An Ordinance authorizing the expenditure of \$64,021.59 to Emergitech, Inc. for the annual subscription fees and related expenses for the Computer Aided Dispatch and Records

Management System for the Police Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 018-16, seconded by Mr. Simpson. Chief Berarducci stated this is the renewal of licenses for our dispatch software and records management system. Half of this total is paid for by our partners in our agreements with them. The roll was called and Ordinance/Resolution No. 018-16 passed by the yeas votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 019-16:

An Ordinance authorizing the Mayor to accept one (1) easement necessary for the North Huntington Street Reconstruction Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 019-16, seconded by Mr. Simpson. Mr. Patton stated as part of their project several easements were required and this is one located at the corner of Huntington. The roll was called and Ordinance/Resolution No. 019-16 passed by the yeas votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. B. Hilberg abstained.

Ord. 020-16:

An Ordinance authorizing the Mayor to accept one (1) easement necessary for the 1097 Industrial Parkway Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 020-16, seconded by Mr. Simpson. Mr. Patton stated they need to acquire this easement to maintain this project going forward. The roll was called and Ordinance/Resolution No. 020-16 passed by the yeas votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

Ord. 021-16:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the 2016 ADA Curb Ramp Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 021-16, seconded by Mr. Simpson. Mr. Patton stated this is their annual CDBG ADA curb ramp program. We bid last years' program late in the fall and were unable to award a contract due to an error in the low bid and the BOC rejected all bids received. We will be bidding both these programs together as one project. There is no city contribution at all. The actual project will be about \$65,000.00 in grant funds allowing us to do about 44 different curb ramps. The roll was called and Ordinance/Resolution No. 021-16 passed by the yeas votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Ord. 022-16:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the Foundry Street Reconstruction Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 022-16, seconded by Mr. Simpson. Mr. Patton stated this is a CDBG improvement project grant. They will be getting \$300,000.00 of the estimated \$693,000.00 construction cost in form of a grant. This project will replace the pavement on Foundry Street from Bronson through the Ray Mellert Park entrance. It will include waterline and storm sewer as well as sidewalks. The roll was called and Ordinance/Resolution No. 022-16 passed by the yeas votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Ord. 023-16:

An Ordinance authorizing the payment of \$26,175.00 to Jenmet Construction LLC for the private home rehabilitation at 3556 Jerrold Blvd., Brunswick, as part of the PY14 CHIP Grant Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 023-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 023-16, seconded by Mr. Simpson. Mr. Mendel explained this is to pay for a residential rehab for a property in Brunswick under our current CHIP program which is the cooperative agreement between the city of Brunswick, the city of Wadsworth and the city of Medina. We are the grant administrators who are the fiscal entity as well so we have to issue this payment through the grant to Jenmet Construction for the work done at 3556 Jerrold Blvd. The emergency clause is needed to get this money paid to the contractor and to get this project done. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson. The roll was called and Ordinance/Resolution No. 023-16 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Ord. 024-16:

An Ordinance authorizing the Clerk of Court to solicit Requests for Proposals (RFP's) for scanning and indexing of closed case files for the Medina Municipal Court. Mr. Shields moved for the adoption of Ordinance/Resolution No. 024-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 024-16, seconded by Mr. Simpson. Mr. Kolesar questioned if the emergency clause was requested for this during Finance Meeting, Mr. Lamb stated he doesn't think so. Mr. Coyne adds the bids are due back March 7th so if the emergency clause was not added the request for proposals bid opening would not occur because it would be less than 30 days. Mr. Coyne asks where that time frame came from. Mr. Huber stated this proposal is backwards. This request is for scanning in old cases at the Medina Municipal Court throughout the years. This goes back a long term to try and eliminate the physical files of the different cases both civil and criminal and to digitize them into an easier format to retrieve. Mr. Coyne stated we should be scanning everything now so that at least there is a point in time where the scanning process has occurred and will cease from scanning old files, I guess we will submit the request for proposal to determine the costs that come back and determine if it is feasible in order to pay that cost or if there is another avenue that we can take as a city to scan these files. The roll was called on adding the emergency clause and was denied by the nay votes of M. Kolesar, B. Lamb, P. Rose, J. Coyne, and B. Hilberg. Mr. Shields and Mr. Simpson cast a yea vote. The roll was called and Ordinance/Resolution No. 024-16 passed by the yea votes of B. Hilberg, M. Kolesar, P. Rose, J. Shields, D. Simpson, and J. Coyne. B. Lamb cast a nay vote.

Ord. 025-16:

An Ordinance amending Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Intensive Supervision Probation employees for the Municipal Court. Mr. Shields moved for the adoption of Ordinance/Resolution No. 025-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 025-16, seconded by Mr. Simpson. Mr. Coyne stated this is an annual modification to the Salaries and Benefits code based upon a grant for the Intensive Supervision Probation employees and this modification needs to occur to the salaries and benefits code since the grant takes effect from July

to June of each year. Emergency is requested because this has been on ongoing. 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. 025-16 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

Ord. 026-16:

An Ordinance establishing a public bidding procedure for Construction Manager at Risk Proposals for a Municipal Courthouse Facility and a two-level Parking Facility at the City owned property located at 120 N. Elmwood Avenue and 123, 137 & 139 W. Liberty Street.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 026-16, seconded by Mr. Simpson. Mr. Patton stated that after a couple meetings and looking into different delivery methods, he is recommending that the city utilize a construction manager at risk delivery method for this project involving the Courthouse and Parking facility. This simply gives us the authorization to begin the selection process, it does not commit Council to any funds or even commit to signing a contract. The second ordinance we will submit would be the contract after we negotiate with whoever we select. At that point, Council would be able to accept or reject. Mr. Kolesar is hopeful that this construction manager at risk which is not costing the city any money will have something in place for some reason down the road we figure we can't afford either one of these projects then we could look back across the street to the existing property we can still have the manager at risk in place for the construction at that time and therefore will vote for this. Mr. Lamb will vote for this as well since it is not binding and not costing any money. His concern is in part by voting for it we begin to build up a train of we have done all this so far and therefore there is no way to back up and if in fact the cost of this project which appears to him may exceed what we would like it to be, that we get to a point where it's tough to back up or reconsider, to this extent he does agree with Mark Kolesar. Mr. Coyne adds that everyone shares their concerns regarding the cost of funding coming from the city and the court and trying to determine alternative ways to fund both the courthouse and parking facility without expanding money saved or saved up by the city over the years and hopefully this construction manager at risk will provide us an avenue and some additional information to make a determination on the cost. Thank you to Mr. Patton for bringing this forward in helping us make a determination on the construction manager at risk and providing us with some experts in the field. The roll was called and Ordinance/Resolution No. 026-16 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Ord. 027-16:

An Ordinance amending Ordinance No. 165-15, passed December 22, 2015.

(Amendments to 2016 Budget) Mr. Shields moved for the adoption of Ordinance/Resolution No. 027-16, seconded by Mr. Simpson. Mr. Dirham explained this appropriation amendment is for the paver sales for Bicentennial Commons. The roll was called and Ordinance/Resolution No. 027-16 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Ord. 028-16:

An Ordinance amending Ordinance No. 165-15, passed December 22, 2015.

(2015 Carryforward) Mr. Shields moved for the adoption of Ordinance/Resolution No. 028-16, seconded by Mr. Simpson. Mr. Dirham stated this is the much discussed carryforward. Healthcare has been removed, the 160 funds have been removed and all of the 700, 800 and 900 funds which are not included because their agency funds were just holding money but the rest of it is in here. The roll was called and Ordinance/Resolution No. 028-16 passed by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Council Comments:

Mr. Kolesar thanked Nino Piccoli for the CPF meeting with the Cities of Brunswick and Wadsworth discussing the future of recycling and inviting OPTIVA in to explain their vision.

Mr. Coyne feels the goal of everybody here in the county is to maximize the amount of recycle materials that we capture at the lowest cost possible. This process takes time and effort.

Mr. Lamb thanked the Community Band especially Mark Neiman for the work he has done.

Mr. Coyne announced a Special Finance Meeting to be held on February 24th at 5:30 p.m. at City Hall. The main discussion item will be the Memorial Park Pool that Mr. Shields has been working on.

Adjournment:

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

Kathy Patton, CMC - Clerk of Council

John M. Coyne, President of Council