

MEDINA CITY COUNCIL
Monday, February 22nd 2016

Opening:

Medina City Council met in regular, open session on Monday, February 22nd, 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 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, Patrick Patton, Sgt. Bret McNab, Dan Gladish, Jonathon Mendel, Mike Wright, and Kimberly Marshall.

Minutes:

Mr. Shields moved that the minutes from the regular meeting on February 8th, 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 M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated the Finance committee met prior to Council and it was a good meeting.

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 stated they will be having a Special Finance meeting on Wednesday, February 23, 2016 at 5:30 pm. The discussion will be on the public pool.

Special Legislation Committee: Mr. Lamb stated they will be meeting on March 9th at 6:30 pm. for the discussion of a Deer Management Plan.

Streets & Sidewalks Committee: Mr. Simpson stated he will schedule a meeting in late March to discuss ongoing projects in the city.

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

Emerging Technologies Committee: Mr. Rose is working on scheduling something for the beginning of March.

Requests for Council Action:

Finance Committee

- 16-027-2/22 – CDBG Revolving Loan Agreement
- 16-028-2/22 – Letter of Arrangement, 2015 Audit
- 16-029-2/22 – HOME Agreement 133 W. Union – PY14 CHIP Grant
- 16-030-2/22 – HOME Agreement 411 E. North – PY14 CHIP Grant
- 16-031-2/22 – Expenditure Over \$15,000 – HD Supply Waterworks
- 16-032-2/22 – Municipal Courthouse & Parking Facility Budget

16-033-2/22 – MOU - Local Government Safety Capital Grant Program

Public Properties Committee

16-034-2/22 – National Wildlife Federation – Monarch Pledge

Special Legislation Committee

16-035-2/22 – Deer Management Strategies

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 starting in January and going through the 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. – 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) Armstrong Cable and service for residents - Residents will be receiving a letter from Armstrong Cable advising of in an increase to their cable bill beginning in March. We would like to remind residents that the City of Medina has no regulatory control over cable or internet providers in the City. The State of Ohio through the Department of Commerce now handles all regulatory issues. If residents have concerns or complaints we ask that they reach out to the Department of Commerce in one of the following ways:
 - Call at 1-800-686-7826 from 8AM-5PM Monday through Friday.
 - Obtain a complaint form from the website www.com.ohio.gov/admin/vsa/complaint.aspx
 - Fax a copy of the completed complaint form to 1-614-644-1469
 - Email the completed complaint form to VSA@com.state.oh.us
 - Mail the completed form to:
 - Ohio Department of Commerce Attn: Video Service Section
 - 77 S. High Street, 23rd Floor
 - Columbus, Ohio 43215

The City has an open door policy inviting competition for Cable and Internet services and as of this meeting no Company has stepped forward to offer competition at this time. We will continue to look at and pursue every option to help the residents of Medina get the best services possible at the best prices.

Keith Dirham, Finance Director, Mr. Dirham stated there is a “Then and now” purchase order on the agenda he will address.

Greg Huber, Law Director, had no report.

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Sgt. McNab, Police Department, had no report.

Kimberly Marshall, 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, The Medina Rec wants to remind the community that we have a “Just Kids Stuff Garage Sale” on Saturday, April 16th from 9 a.m. – 12:00 p.m. We still have vendor spots available. If you are interested in selling items at the sale, you can contact Nita Justice, @ 330-721-6937 to reserve a spot.

Dan Gladish, Building Official, had no report.

Patrick Patton, City Engineer, reported that last week they began advertising for bids on the Foundry St. Project. This project is 50% paid for through a grant. There will be a public meeting once the contractor is selected and signed.

Nino Piccoli, Service Director, acknowledged the Parks and Service crews working well together in preparation for the Ice Festival that was well attended. Trash discussions are still underway with MC-18.

Notices, Communications and Petition:

Liquor Permit:

Mr. Shields moved not to object to the issuance of a new D-1, D-2 and D-3 permit to South Point LLC, 100 Public Square, Medina, Ohio. Motion seconded by Mr. Simpson. Mayor Hanwell stated this is somewhat of an unusual circumstance, he was contacted today by the Birch Family Limited Partnership which is the property owner for this address. They have not approved a lease or an agreement with South Point LLC nor have they agreed to permit them to have a liquor permit on their property. It appears, with assistance from the Police Dept. that the liquor permit was filed by the applicant in hopes of getting a lease agreement without the knowledge of the owners of the property. Liquor permits can't be authorized in the State of Ohio without the owners of property knowledge or permission. Mayor Hanwell requested Council ask for the hearing that is requested on this form the choice is whether or not to have a hearing and either in Columbus or here, the preference would be if we have to send people and the owner has to send people that the preference would be in Medina County vs. in Columbus. We need a two part motion whether or not to accept it and then on the hearing.

The roll was called and motion failed by the nay votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields. Mr. Shields moved a second motion to designate the City of Medina as the location of the hearing as a county seat, seconded by Mr. Simpson. The roll was called and passed by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Unfinished Business: There was none.

Introduction of Visitors: There were none.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 29-16:

An Ordinance amending Ordinance No. 24-16, passed February 8, 2016, relative to the RFP's for Scanning and Indexing Services for the Medina Municipal Court. Mr. Shields moved for the adoption of Ordinance/Resolution No. 029-16, seconded by Mr. Simpson. Mr. Coyne stated the dates were amended for the RFP's. The roll was called and Ordinance/Resolution No. 029-16 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar. Bill Lamb cast a nay vote.

Res. 30-16:

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. 030-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 030-16, seconded by Mr. Simpson. Mr. Dirham stated a purchase order closed due to end of the year and there was work done right after and there was no P.O. at the time. Emergency is needed due to work being completed. 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. 030-16 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Ord. 31-16:

An Ordinance authorizing the Mayor to accept easement agreements for the West Smith Road Reconstruction Project (Parcels 1-S, T, T1) Mr. Shields moved for the adoption of Ordinance/Resolution No. 031-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 031-16, seconded by Mr. Simpson. Mr. Patton explained this is for an easement over a storm sewer that was installed. The emergency is needed due to the project being completed and recording is necessary. 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. M. Kolesar abstained. The roll was called and Ordinance/Resolution No. 031-16 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, B. Lamb, P. Rose, and J. Shields. M. Kolesar abstained.

Ord. 32-16:

An Ordinance authorizing the expenditures for reimbursement of PY14 CHIP Grant Project Funds and Administrative Costs to the City of Wadsworth per the Partnership Agreement.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 032-16, seconded by Mr. Simpson. Mr. Mendel stated this is for reimbursement for the City of Wadsworth through the CHIP program partnership agreement. The roll was called and Ordinance/Resolution No. 032-16 passed by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 33-16:

An Ordinance amending Section 31.02 and 31.07 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the new MCRC Senior Activities Coordinator position and approving the job description.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 033-16, seconded by Mr. Simpson. Mr. Wright stated this is for Council to approve the new MCRC Senior Activities Coordinator part time position. This will now reflect the job responsibility in pay. The roll was called and Ordinance/Resolution No. 033-16 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Mr. Shields moved to add Res. 34-16 to the agenda, seconded by Mr. Simpson. The roll was called and Res. 34-16 was added by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

Res. 34-16:

A Resolution adopting the Housing Revolving Loan Fund Administration Agreement between the State of Ohio, Development Services Agency and the City of Medina, Ohio relative to the Community Housing Improvement Program.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 034-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 034-16, seconded by Mr. Simpson. Mr. Mendel stated this is required as part of the CHIP Program from the State and we have to have this in place prior to the application for the next round of CHIP funds. The emergency is needed due to this being our old agreement and it expired at the end of 2015 and we need the new agreement. 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. 034-16 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Council Comments:

Mr. Rose thanked Dan Gladish for his work. He has taken some issues brought to him by some residents to Dan and he has very quickly and professionally taken care of them.

Mr. Lamb spoke of the Shade Tree Commission Meeting that was held and one of the things that came out of the meeting from the Forester and Parks Director is that they have been working with the gas company and trying to be less invasive as possible.

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Executive Session

It was moved by Mr. Shields and seconded by Mr. Simpson to enter into Executive Session at 7:56 P.M. To consider the employment of a public employee or official, and for the second purpose of conferences with the board's attorney concerning disputes involving the Board which are the subject of pending or imminent court action to include the Mayor and Law Director. The roll was called on recessing into executive session and passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Adjournment:

There being no further business before Council, the meeting adjourned at 8:14 p.m.

Kathy Patton, CMC - Clerk of Council

John M. Coyne, President of Council