

MEDINA CITY COUNCIL

Monday, April 25th, 2016

Opening:

Medina City Council met in regular, open session on Monday, April 25th, 2016. The meeting was called to order at 7:30 p.m. by President of Council John Coyne who led the Pledge of Allegiance.

Public Hearing:

To consider various text amendments to the following sections of the Planning and Zoning Code of the codified ordinances of the City of Medina, Ohio:

1121.04, 1123.04, 1125.04, 1127.04, 1133.04, 1135.04, 1137.04, 1147.14(c),
1147.14(f), 1113.05(m), and 1153.04(a)

Mr. Mendel stated this is a result of the Planning Commission recommendation from their January 14th 2016 meeting where they recommended the changes outlined. This group of text amendments are really just kind of housekeeping items such as spelling corrections, missed terms that don't have any underlying process or references to zoning districts that we haven't had for 20 years.

No one spoke against the amendments.

Roll Call:

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

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

Minutes:

Mr. Shields moved that the minutes from the regular meeting on April 11th, 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 yeas of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

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 stated at the last meeting they had representation from various agencies including the Police Dept. in reference to the heroin and opiate abuse in our community and in the county. Raising awareness was a topic and disposal of old medication and he asked the community if they have old medication out there and want to dispose of it properly, go to the Medina County Drug Abuse Commission or their website which is www.MCDAC.com to find several locations of where you can dispose of them. If you have any suspicion or any idea that this type of abuse is going on, reach out to the Police Department or contact one of your Councilmen.

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb had no report.

Streets & Sidewalks Committee: Mr. Simpson held a meeting last week with good discussions.

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

Emerging Technologies Committee: Mr. Rose had no report, scheduling a meeting in early May.

Requests for Council Action:

Finance Committee

- 16-062-4/25 – Request for TRAC Funding for SR 18 Corridor Improvement Project
- 16-063-4/25 – PY16 CHIP Grant Partnership Agreement & CT Consultant Agreement
- 16-064-4/25 – Amend CCF/Medina Hospital & MRCR Health & Fitness Agreement
- 16-065-4/25 – Change Order – PY14 CHIP – 3556 Jerrold Blvd. Brunswick
- 16-066-4/25 – Copier Purchase
- 16-067-4/25 – Bids, West Smith Rd. Reconstruction
- 16-068-4/25 – Bids, 2016 Concrete Street Repair
- 16-069-4/25 – Amend. Ord. 12-15 – Friends of Cemetery Lease Agreement
- 16-070-4/25 – Construct 6 foot wide sidewalk along Ryan Road
- 16-071-4/25 – Amending P&Z Code, various text amendments
- 16-072-4/25 – Expenditure Over \$15,000 – Commercial Fitness Solutions – MCRC
- 16-073-4/25 – Bicentennial Pavers

Dennis Hanwell, Mayor, reported the following:

- 1) **Working America Canvassing in City-** Legislative/political advocacy as well as educational canvassing of residential areas in city starting in January & going through election cycle will be conducted in city. Canvassing will be 4 pm to 9 pm Monday through Friday and 10 am to 5 pm 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) **Tuesday, April 19th at 4 pm - American Heart Association** selected Healthy Medina Program as “Gold Fit-Friendly Worksite” as well as “Community Innovation Award” and presented plaques to city, Medina City Schools, Medina Hospital and the community. Posted Plaque near banner.
- 3) **Montville Twp. open house-** Sunday, May 1st from 1 pm to 4 pm for new Service Garage and Administrative Office. Ribbon cutting at 2 pm. Address is 6665 Wadsworth Rd., corner of Poe and Wadsworth Rd.
- 4) **National Day of Prayer events-** Thursday, May 5th at 7 am. Mayor’s Prayer Breakfast at William on the Lake - \$15 tickets available at Mayor’s office; noon

prayer service on Square with youth from St. Francis and Medina Christian Academy schools (rain location UCC Church); 7 pm evening prayer service at Church of the Nazarene, 6901 Wooster Pike, Medina. Noon and evening services are free, no tickets required.

- 5) **Saturday, May 7th - Love Medina program-** help disabled and senior citizens with yard work, cleanup, etc. Much appreciated!

Keith Dirham, Finance Director, stated they had a budget hearing on April 20th that was also the date the revenue estimate for the next set of budgets went out to the various department heads and those will be before council in June.

Greg Huber, Law Director, had no report. There are two ordinances that authorize bids at the Medina Municipal Airport for work that will hopefully be completed in the near future and he will address those.

Chief Berarducci, Police Chief, 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, had no report.

Jansen Wehrley, Parks and Recreation Director, reported April 28th the city will be celebrating Arbor Day. The Medina Kiwanis Club will distribute 600 Colorado blue spruce trees to the 3rd graders at Medina City Schools, Medina Christian Academy and St. Francis. Jansen thanked Mark Kolesar and Keith Dirham for organizing the Earth Day Event at Sam Masi Park and help plant wild flowers, milk weed and trees. The Forestry Department will be removing the ornamental pear trees on South Court Street between Washington and Smith Road the week of May 2nd. The Shade Tree Commission discussed a replacement plan and we will be notifying the businesses along those streets.

Dan Gladish, Building Official, had no report.

Patrick Patton, City Engineer, reported that two of their current projects are actively into their next phase of construction. The Huntington St. project started pavement removal process. Ryan Rd. is entering into the same phase.

Nino Piccoli, Service Director, reported 50 bags equaling 6 yards of waste was collected throughout the city by volunteer workers. Such a great effort by the volunteers.

Confirmation of Mayoral Appointments:

Uptown Park Advisory Committee – Robert Molnar – Exp. 12/31/19
Board of Zoning Appeals – Paul Roszak – Exp. 12/31/18
Board of Zoning Appeals – (Alternate) – Sam Livingston – Exp. 12/31/19

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

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:

Res. 50-16

A Resolution expressing the sense of the Mayor and Council of the City of Medina, Ohio that public servants should be commended for their dedication and continued service during Public Service Recognition Week. Mr. Shields moved for the adoption of Ordinance/Resolution No. 050-16, seconded by Mr. Simpson. Mayor Hanwell stated the Federal Government sets aside a week where public employees should be recognized and we talk many times of the dedication and value and commitment of our staff and coworkers. Mr. Coyne stated the gratitude is there and we appreciate all the time and effort that is put in. The roll was called and Ordinance/Resolution No. 050-16 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Ord. 51-16

An Ordinance authorizing the Mayor to enter into Amendment No. 6 to the Agreement with Delta Airport Consultants, Inc. for the design and bidding services for the reconstruction of the North-South Taxiway at the Medina Municipal Airport. Mr. Shields moved for the adoption of Ordinance/Resolution No. 051-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 051-16, seconded by Mr. Simpson. Mr. Huber stated this ordinance involves two projects that are proposed at the Medina Municipal Airport. The first project concerns repaving the north-south Taxiway that runs along the West side of the north-south runway. The City of Medina is receiving benefit from the State of Ohio of a grant for \$650,000 to assist in the cost of that resurfacing. The second project involves resurfacing the transient airplane parking area. The FAA requests that we complete this work and the City of Medina is receiving the benefit from the FAA in the amount of approximately \$400,000 in grant

money for that work. The City's match in order to receive these grants comes to approximately \$65,000. The work that needs to be completed really needs to be completed soon. The requirement with respect to this work is that we bid these projects by mid-May and that is why we need the emergency clause. The roll was called on adding the emergency clause and was approved by the yeas of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson. The roll was called and Ordinance/Resolution No. 051-16 passed by the yeas of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Ord. 52-16:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the rehabilitation of the Aircraft Transient Apron at the Medina Municipal Airport. Mr. Shields moved for the adoption of Ordinance/Resolution No. 052-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 052-16, seconded by Mr. Simpson. The roll was called on adding the emergency clause and was approved by the yeas of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg. The roll was called and Ordinance/Resolution No. 052-16 passed by the yeas of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 53-16:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the reconstruction of the North-South Taxiway at the Medina Municipal Airport. Mr. Shields moved for the adoption of Ordinance/Resolution No. 053-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 053-16, seconded by Mr. Simpson. The roll was called on adding the emergency clause and was approved by the yeas of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb. The roll was called and Ordinance/Resolution No. 053-16 passed by the yeas of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

Ord. 54-16:

An Ordinance amending Section 31.02 (9) of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Cable TV Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 054-16, seconded by Mr. Simpson. Mayor Hanwell stated this is a request from Medina TV to go from one Cable TV Production Assistant to two. Currently, it is one position for a maximum of 29 hours per week. There may be 2 or 3 people filling one of these positions. The roll was called and Ordinance/Resolution No. 054-16 passed by the yeas of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Ord. 55-16:

An Ordinance of the Council of the City of Medina, 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. 055-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to

Ordinance/Resolution No. 055-16, seconded by Mr. Simpson. Mr. Dirham stated this was for materials used during an emergency culvert repair. The emergency clause is needed do to this in order to get the vendor paid. Mr. Kolesar will be abstaining since this company does business with his employer. 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. 055-16 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, B. Lamb, P. Rose, and J. Shields. M. Kolesar abstained.

Ord. 056-16:

An Ordinance authorizing the Mayor to execute a Memorandum of Understanding with the Medina County Board of Commissioners to provide Fixed Route Public Transportation Services within the City of Medina for the period of January 1, 2016 through December 31, 2016. Mr. Shields moved for the adoption of Ordinance/Resolution No. 056-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 056-16, seconded by Mr. Simpson. Mayor Hanwell explained that these fees in the amount of \$45,000 - \$11,200 is from grant funds and \$33,800 is from the General Fund. This provides a transit service in the City of Medina both on demand and fixed routes and is a great benefit to our residents to continue this service. Emergency needed due to grant period starting in January. The roll was called on adding the emergency clause and was approved by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg. The roll was called and Ordinance/Resolution No. 056-16 passed by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 057-16:

An Ordinance authorizing the Mayor to advertise for competitive bids for the renovation of the Memorial Park Pool and Pool House. Mr. Shields moved for the adoption of Ordinance/Resolution No. 057-16, seconded by Mr. Simpson. Mr. Kolesar commented he is excited to see the Memorial Park Pool and Pool House is moving forward, it plays a large role in the summertime for kids and families. Mr. Patton stated this ordinance is actually for two projects at the pool. The first is the pool house and will be bid separately from the renovations to the pool. The budget for renovations to the pool is \$700,000. We are not authorized in this ordinance to award the bid through the Board of Control. They will come before Council for their review and discussion. Mr. Shields echoed what Mark said and thanked all who worked on it and keeps it moving in the right direction. Mr. Lamb also agreed with Mark and is hopeful this is the first step in getting us to an outdoor pool. The roll was called and Ordinance/Resolution No. 057-16 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

Ord. 058-16:

An Ordinance authorizing the expenditure of \$50,986.00 to GameTime for the installation of a poured in place rubberized playground surface at Sam Masi Park, repealing Ordinance No. 9-16, passed January 25th, 2016. Mr. Shields moved for the adoption of Ordinance/Resolution No. 058-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 058-16, seconded by Mr. Simpson. Mr. Wehrley states ordinance 9-16 which we are asking to be repealed authorized the Mayor to advertise for competitive bids for the Sam Masi Park playground surface. While researching

specifications for that surface as well as talking with other communities, it was recommended and discovered that we could use a cooperative purchasing program, US Communities, that would also include a 5 year warranty on the installation. The emergency is requested so that they can execute a contract and install this summer because they have a deadline with the grant requirements. The roll was called on adding the emergency clause and was approved by the yeas 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. 058-16 passed by the yeas votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Res. 59-16:

A Resolution authorizing the Mayor to enter into a Partnership Agreement with the City of Brunswick and to file an application for grant assistance with the Ohio Development Services Agency for a PY16 Community Housing Impact and Preservation Program (CHIP) Grant.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 059-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 059-16, seconded by Mr. Simpson. Mr. Mendel stated this is a resolution authorizing the Mayor to enter into a Partnership Agreement with the City of Brunswick and to file an application for grant assistance through the State of Ohio for the next round of Community Housing Impact Preservation Program grants. This would provide for the contract with CT Consultants to manage the program as it has in many years prior. The roll was called on adding the emergency clause and was approved by the yeas 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. 059-16 passed by the yeas votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Council Comments:

Mr. Hilberg reminded drivers that those signs are posted for a reason, so that you can't drive down that street because it is closed. He has received a few phone calls last week from people that were displeased because they were cited.

Mr. Rose stated Patrick Evans organized the group of volunteers that collected 50 some bags of garbage off of Hillview Way and he wanted to thank him and all involved.

Mr. Shields announced that on Tuesday, May 3rd The Joint Ward 3 and Ward 4 meeting at Ella Canavan Elementary School at 7 p.m. We certainly invite everyone from Ward 3 and 4 but any resident can attend. The Council will be there, the Administration will answer any questions that you many have and please park on the main parking lot (large parking lot) on the south side of the building, enter through into the commons or the cafeteria area at Ella Canavan.

Mr. Kolesar thanked Rhonda Wargler from the Children's Center of Medina County. On Saturday, April 16th they held the Pinwheel Walk which myself and the Mayor were involved in to raise awareness of child abuse. He thanked everyone who came out for that, it really raised awareness. There are 495 cases in Medina County and those are only the documented cases. If you see anything that causes concern, notify the proper agencies to get help for that individual.

On the day after Earth Day, April 23rd, we had an Earth Day event. He thanked Jansen Wehrley,

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Parks Director and his department who came to help, Keith Dirham was out there with his girlfriend, along with representatives from the Miracle League who all came to help beautify Sam Masi Park and the Keuhn-Todd Conservation area. We planted trees, wildflowers and milkweed. Residents in Ward 3 who drive up and down Guilford will soon see a beautiful wildflower garden that will add beauty to the neighborhood and help our bee and Monarch butterfly populations.

Lastly, this coming Saturday, April 30th, Heritage Elementary School at 833 Guilford Boulevard will be celebrating its 40th Year Anniversary. That will go from 9 a.m. to 11 a.m. and then there will be a carnival from 11:30 a.m. to 1:30 p.m. Go to the school website to find out more information on that. He urged residents to come out and celebrate.

Councilman Lamb congratulated Heritage School on their 40th Anniversary. He stated it's interesting because a lot of its notoriety early on was that it was just such a unique building but of course what made that school so special was really the learning that went on there and the teachers and the parents and administrators that made all of that really work. It goes without saying that he also wants to congratulate and honor his old friend Wes Florian who he was lucky enough to grow up with on the west side of Cleveland. He was the person who got that school off on the right path and shepherded it through for many years.

With regard to the trees on town hill, one of the things I'm most proud of I think that the City has done over the last decades is the continued planting and maintenance of trees. I fully agree with and support the removal of the trees on town hill and I think that anybody that takes a close look at them cannot disagree with what the Forestry Department has determined. The trees are somewhere between suffering, dying, or dead. A lot of those trees were planted nearly 40 years ago and the life expectancy of those trees planted on the cityscape should have been about 15 years. It's a good plan that the Forestry Department has come up with and it will help us to continue to support the planting of trees in the downtown and this will significantly beautify that area of the downtown and he appreciates the Parks Director and his crew for all the work they've done to implement a really good, smart, solid plan to make this improvement.

President Coyne announced there is a budget meeting on Wednesday, April 27th to discuss the Sanitation Department.

Adjournment:

There being no further business before Council, the meeting adjourned at 8:16 p.m.

Kathy Patton, CMC - Clerk of Council

John M. Coyne, President of Council