

## MEDINA CITY COUNCIL

Monday, May 9<sup>th</sup>, 2016

### **Opening:**

Medina City Council met in regular, open session on Monday, May 9th, 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, Chief Painter, Jonathan Mendel, Jansen Wehrley, and Kimberly Marshall.

### **Minutes:**

Mr. Shields moved that the minutes from the regular meeting on April 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 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 will meet again in two weeks.

Health, Safety & Sanitation Committee: Mr. Kolesar 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. Hilberg had no report.

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

### **Requests for Council Action:**

#### **Finance Committee**

- 16-074-5/9 – Request to Award Bid, Court Scanning Project
- 16-075-5/9 – Expenditure – HOME Agreement 427 Prospect
- 16-076-5/9 – SPCA Annual Donation Request
- 16-077-5/9 – FY16 CDBG Application
- 16-078-5/9 – OPWC Resolution of Intent – Ryan Road Reconstruction
- 16-079-5/9 – OPWC Resolution of Intent – Wadsworth Rd. Water Line, Phase 1
- 16-080-5/9 – Expenditure Over \$15,000, Increase P.O. – Osborne Medina
- 16-081-5/9 – Fair Housing Agreement – PY15 CDBG
- 16-082-5/9 – Revise Civil Service Rule VI (J)
- 16-083-5/9 – Expenditure Over \$15,000 – OH Association of Chiefs of Police

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16-084-5/9 – ODOT Salt Purchasing Program  
16-085-5/9 – Proposed New Classification of Water Technician

### **Reports of Municipal Officers**

**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 and going through election cycle will be conducted in city. 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) National Day of Prayer events - Thur., May 5- All three events were well attended. Thanks to Administration and Council's support of same.
- 3) Saturday, May 7 a.m. - Love Medina program - went well. Thanks to local churches for their help and support of same to benefit our local senior citizens and handicapped residents.
- 4) Sea of Blue events - Friday, May 13th, 8 p.m. - Candlelight Vigil to remember officers who have the given ultimate sacrifice; Saturday, May 14th, 10 a.m. Unity walk from MHS to Square; 11 a.m. Sea of Youth Police Rally at Common Pleas Court steps.
- 5) Monday, May 30th - Memorial Day Parade – 10 a.m., Ceremony at Monument in front of Common Pleas Courthouse; 10:10 a.m. - parade step off; 11 a.m., Ceremony at Spring Grove Cemetery - rain location is Medina High School Performing Arts Center; VFW will host veterans and their families for food and beverages; 1:15 p.m. - Vietnam Veterans of America will have a ceremony at Medina County Vietnam Veteran's Memorial, 210 Northland Drive, Medina.

**Keith Dirham, Finance Director**, reported the next budget hearing is a week from tomorrow.

**Greg Huber, Law Director**, had no report.

**Kimberly Marshall, Economic Development Director**, reported that the City of Medina in conjunction with Main Street and the Chamber will be hosting a ribbon cutting for a new business European Design Imports also known as Polish Pottery, located at 100 Public square being held at 1 p.m. on Friday, May 13<sup>th</sup> and following at 2 p.m. there will be a celebration for PJ Marley's dining patio addition at 119 Public Square.

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

**Chief Painter, Fire Chief**, had no report.

**Mike Wright, Recreation Center Director**, reported a couple of updates from the Medina Rec.

- 1) Our new Spring/Summer brochure is also now available on-line and at the Rec. Center.
- 2) The Rec's three month summer memberships are 25% off this season and started May 1<sup>st</sup>

- for 3 consecutive months of your choice, up to a start date of July 1st.
- 3) A reminder to the community that the Rec Center Discover Camp starts May 31st and runs through August 12th. There are lots of scheduled trips this year including Kalahari, Skyzone, Dave & Busters, and the Nautica Queen, just to name a few. You can schedule one week or the entire summer. For more information you can go online at [www.medinarec.org](http://www.medinarec.org) or contact Maureen Dowell at 330-721-6935.
  - 4) The next Rec Advisory Committee meeting is Thurs May 19th, at 7:30 a.m. at the Recreation Center.  
Lastly, our shutdown week will be the same week as the Medina County Fair this year. We will be closed for 5 days August 1st through August 5th for maintenance and repairs.

**Jansen Wehrley, Parks and Recreation Director**, had no report.

**Dan Gladish, Building Official**, reported the Building Dept. has taken another step to help simplify the Building Permit Application process. A new fill in the blank type PDF form has been added on the website and can easily be completed, printed and/or emailed to the office. The new applications include building, heating, air conditioning, electric, plumbing and contractor registration. This will save time for applicant and increase the efficiencies of the Building Department.

**Patrick Patton, City Engineer**, a portion of Ryan Road stabilizing project is complete. North Huntington St. project pavement is scheduled to start tomorrow. The Foundry St. project has kicked off today.

**Nino Piccoli**, Service Director, had no report.

#### **Notices, Communications and Petitions:**

##### **Liquor Permit:**

Mr. Shields moved not to object to the issuance of a new D-2 and D-3 permit to Medina Oriole Steakhouse Inc., dba Medina Steakhouse & Saloon & Porch & Patio, 538 W. Liberty St. Medina. Motion seconded by Mr. Simpson and approved by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

##### **Unfinished Business:**

There was none.

##### **Introduction of Visitors:**

Keith Trojack resides on Guilford Blvd. he stated on the 23<sup>rd</sup> of March he went into full cardiac arrest and the Chief of Police who was in the area came to his rescue and performed CPR until medics arrived on the scene and helped save his life.

**Introduction and Consideration of Ordinances and Resolutions:**

**Ord. 60-16**

**An Ordinance amending Ordinance No. 23-16, passed February 8, 2016 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. 060-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 060-16, seconded by Mr. Simpson. Mr. Mendel stated this is a simple change order to add \$770.00 to the previous \$26,000 to get this project going and clear up some items that still needed to be taken care of. Emergency is needed because project is complete and contractor needs to be paid. 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. 060-16 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

**Ord. 61-16:**

**An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the 2016 Concrete Street Repair Program.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 061-16, seconded by Mr. Simpson. Mr. Patton stated this is an annual project to repair individual slabs of concrete throughout the City of Medina. We are asking for \$325,000 to complete the project. This will be done this summer. The roll was called and Ordinance/Resolution No. 061-16 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

**Ord. 62-16:**

**An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the West Smith Road Construction Project.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 062-16, seconded by Mr. Simpson. Mr. Patton stated this is Phase 1 of the West Smith Project, we completed Phase 2 two years ago ahead of Phase 1. This project will stretch from railroad crossing where we ended the last project near Medina Supply heading east to a couple hundred feet past State Road. It is estimated to cost \$3.6 million dollars and we have two grants helping defer some cost. One is a federal grant in the amount of \$742,500 and the other is a State grant of \$406,000. The roll was called and Ordinance/Resolution No. 062-16 passed by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

**Ord. 63-16:**

**An Ordinance to clarify and unify the Codified Ordinances of the City of Medina, Ohio by amending the following sections of Part 11- Planning and Zoning Code. Sections 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. Shields moved for the adoption of Ordinance/Resolution No. 063-16, seconded by Mr. Simpson. Mr. Mendel stated this is related to Planning Commission recommendation from the January 14<sup>th</sup> 2016 meeting. This group of amendments is really just housekeeping effort. Some of these had been overlooked or had incorrect terminology. The roll was called and

Ordinance/Resolution No. 063-16 passed by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

**Ord. 64-16:**

**An Ordinance amending Ordinance No. 12-15, passed January 26<sup>th</sup>, 2015, relative to the Lease Agreement with the Friends of the Cemetery, for the use of the Amos Mears Memorial Building at Spring Grove Cemetery.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 064-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 064-16, seconded by Mr. Simpson. Mr. Huber stated we have a lease with the Friends of the Cemetery to use and lease space in the Amos Mears Building. There is a clause in the original lease agreement that requires them to indemnify us for the negligence of our own employees, and there is no good reason to have that clause in the original lease agreement. It caused a problem for the Friends of the Cemetery with respect to securing their own liability insurance coverage and as a consequence their attorney Ian Haberman who represents them recommended to take that clause out. 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. 064-16 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

**Res. 65-16:**

**A Resolution accepting the donation of proceeds raised by the sale of pavers at Bicentennial Commons, and to credit the funds to go towards the 2018 Bicentennial Celebration.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 065-16, seconded by Mr. Simpson. Mr. Wehrley the Parks Dept. has received a number of inquiries regarding purchasing additional bricks and this resolution will authorize a third round of sales with all the proceeds going to the Bicentennial Committee to help fund events for the 2018 Bicentennial. The roll was called and Ordinance/Resolution No. 065-16 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

**Res. 66-16:**

**A Resolution supporting the application by the Ohio Department of Transportation (ODOT) District 3 to the Ohio Transportation Review Advisory Council (TRAC) for funding for the reconstruction and widening of SR 18 from Alber Drive in Medina City to Nettleton Road in Medina and Montville Townships.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 066-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 066-16, seconded by Mr. Simpson. Mr. Patton stated that ODOT is currently developing this project and they have secured funds for the engineering and the engineering is well underway. The project starts in the City of Medina. This has been discussed in committee and we are recommending a commitment of \$250,000 from the city for this project. This money won't be due until the project gets started and that looks to be about 4 years away. Emergency is requested because this next application is due at the end of this month. 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. 066-16 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B.

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Hilberg, M. Kolesar, B. Lamb and P. Rose.

**Council Comments:**

Mr. Kolesar urged residents to take the time to mow your grass to a decent level, it not only keeps the neighborhood beautiful but it also keeps the Service Dept. dealing with bigger and more demanding things rather than trying to keep up with property maintenance. Please keep clippings off the street we don't want it in the catch basins and eventually clogs up our storm water system and depletes the water quality in our creeks and rivers.

Mr. Lamb stated as part of a Rocky River Water Shed Program, Community Development Director Jonathan Mendel gave an interesting and informative talk in the pouring down rain about the beautiful restoration that was completed in Champion Creek.

Mr. Simpson spoke to Mr. Trojack and expressed that he was happy his outcome was a positive one. The quick response was definitely beneficial congratulations.

**Adjournment:**

There being no further business before Council, the meeting adjourned at 7:58 p.m.

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Kathy Patton, CMC - Clerk of Council

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John M. Coyne, President of Council