

MEDINA CITY COUNCIL  
Monday, December 09, 2019

**Public Hearing (7:30 p.m.)**

To consider the rezoning of 1088 S. Court Street from R-3, High Density Urban Residential to C-1, Local Commercial. (Case P19-19).

Mr. Mendel explained this is a public hearing for the rezoning request by the applicant for the property located at 1088 S. Court Street to request rezoning from R-3 High Density Residential to C-1 Local Commercial. Presented to Planning Commission October 10<sup>th</sup> 2019, reviewed and did not recommend the requested rezoning to City Council. (1-4 vote) In the RCA, all the information was provided from the Planning Commission review process and it had gone to Finance committee on October 28<sup>th</sup> and then there was a 30 day minimum notice period for the public hearing that we are having this evening.

**For:** Justin Eddy from Tucker Ellis, representing Trillium Creek LLC. Mr. Eddy stated he is surprised they are here under the circumstances that they are. Last time he was here the vote was to recommend a C-3. Mr. Eddy reiterated some of the facts that have been discussed relative to the surrounding property such as some offices and Handles Ice Cream and to the south is Montville Township. Justin stated that zoning is designed to advance legitimate government purpose. He spoke of the neighboring residents and traffic concerns.

Justin stated that if rezoning the entire property to C-1 is not favorable, the applicant would consider a CS classification (Commercial Service – least intensive zoning district). Another solution that he feels would alleviate some of the resident's concerns related to the future development of the property, is to only rezone the front 1/3 of the property, which is necessary for this and the rest would remain as a residential classification.

Mr. Coyne asked for clarification if Justin was suggesting that he has two alternatives that they are willing to consider. Mr. Eddy replied yes, his client is willing to consider the two options mentioned. They just want to find a solution that works for everybody.

Mr. Coyne stated the options the applicant gave us are some viable options that may be considered. The discussion would have to be with Mr. Huber again, because it would be the same kind of agreement that would have to be entered into regarding those options.

**Against:** David Hoek resides at 28 Pinewood and is a member of the Pinewood Board of Trustees. Mr. Hoek stated they have appeared before council on earlier occasions to voice their strenuous objections to any rezoning that would result in a commercial, additional commercial driveway in the already narrow hazardous portion of South Court Street. Rezoning at 1088 for the proposed banking kiosk or any of the many commercial businesses allowed under C-1 zoning would result in an additional commercial drive about 100 ft. from Pinewood Drive. He spoke of sight limitations and speed limits in the area. Mr. Hoek asked council to recognize the dangerous impact an additional commercial driveway would have and urged council to vote against any rezoning at 1088 S. Court Street.

Patricia Ryan resides at 4254 Sharon Copley Rd. and is a frequent visitor to the Pinewood neighborhood. Patricia wanted clarification on the two options Justin Eddy discussed. Ms. Ryan stated that it is inevitable that this portion of South Court being as narrow as it is, will need at some point to be widened. The major underlying issue is the number of drivers and streets within this very short distance between Hartford and Sturbridge. Patricia spoke of what is permitted in a C-1

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zoning district and asked if it is the best zoning classification for this property. Patricia respectfully requests council follow the recommendation of the Planning Commission, the Comprehensive Plan and the residents, and vote no on the C-1 rezoning.

Julie Laribee resides at 36 Pinewood Drive. Ms. Laribee stated that any commercial use of that property will increase traffic congestion in that area where problems already exist. Julie spoke of driving experiences she has had recently through there. Julie states they provided council with 72 residential signatures who oppose this rezoning, you must represent those Medina residents who are voters and tax payers and decide each case fairly on its own merits. Ms. Laribee urged council to follow the comprehensive plan and recommendation of the Planning Commission and protect their residential property and quality of life.

The public hearing was closed at 7:53 p.m.

**Opening:**

Medina City Council met in regular, open session on Monday, December 9, 2019. The meeting was called to order at 8.03 p.m. by President of Council John Coyne. The Medina American Legion Post 202 celebrating 100 years led in the Pledge of Allegiance.

**Roll Call:**

The roll was called with the following members of Council present E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and J. Hazeltine.

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

**Reading of Minutes:**

Mr. Shields moved that the minutes from the regular meeting on November 25, 2019 as prepared and submitted by the Clerk be approved. The roll was called and the minutes were approved by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, and E. Heffinger.

**Reports of Standing Committees:**

Finance Committee: Mr. Coyne stated the Finance Committee met prior to this evening's Council meeting and will meet again in January 2020.

Health, Safety & Sanitation Committee: Mr. Simpson had no report but is planning on scheduling a meeting in January to get an update from the Police Chief, Fire Chief and Service Director.

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb stated he is working on scheduling a meeting to begin a discussion on how to address the use of medical marijuana by city employees in a reasonable way.

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Streets & Sidewalks Committee: Mr. Heffinger has no meetings scheduled, reported he is still working on trying to find ways to get lights onto Reagan Parkway. He stated they were just discussing this in the Finance Committee and trying to find some funding for that.

Water & Utilities Committee: There was no report.

Emerging Technologies Committee: Mr. Rose had no report or meeting scheduled.

**Requests for Council Action:**

**Finance Committee**

- 19-219-12/9 – Advance Requests
- 19-220-12/9 – Budget Amendments
- 19-221-12/9 – Amend Code 133.01 – Association Memberships – ED
- 19-222-12/9 – Increase Expenditure Pro Tech Security Sales – Police
- 19-223-12/9 – 2020 Concrete Pavement General Services Program
- 19-224-12/9 – RFP’s Comprehensive Plan Update
- 19-225-12/9 – Grant Application – Certified Local Government FY 2020
- 19-226-12/9 – Increase Expenditure – Orion Equipment – Street Dept.
- 19-227-12/9 – Capital Bill Request FY 2021/2022
- 19-228-12/9 – Expenditure Over \$25,000 – Jet-A Fuel
- 19-229-12/9 – Amend Code 133.01 – Association Memberships – Mayor
- 19-230-12/9 – Amend Ord. 119-18, Lafayette Twp. Policing Agreement
- 19-231-12/9 – Amend Job Description – Police Administrative Assistant
- 19-232-12/9 – Amend Ord. 105-19 – Bids for S. Broadway Reconstruction
- 19-233-12/9 – MOU with Medina County – Sanitary Sewer Replacement S. Broadway
- 19-234-12/9 – Amend 153.01(c) - Civil Service Commissioner Compensation
- 19-235-12/9 – Amend Aquatics Manager Pay Grade

**Finance Committee**

**Reports of Municipal Officers:**

**Dennis Hanwell, Mayor,** reported the following:

- 1) Parking Deck - Construction of parking deck south of Medina City hall has ceased for winter. Long term lots will be available at Castle Noel lot; Feckley lot on north side of Thyme2; County Courthouse parking deck; County Administration lot extension off E. Liberty Street; parking lot between W. Liberty and W. Washington with Huntington bank drive through; Municipal Court lot is available on weekends and evenings; 3 hour lots were established at open areas of lot between Sully’s and Porters as well as lot at the southeast corner of Elmwood and W. Liberty. Customer parking along West Friendship adjacent to Medina County Historical Society. 2 handicap spaces outside northwest doors of Medina City Hall.
- 2) Utility drop boxes and post office mailbox moved to Municipal Court lot; mini library was placed at 3 hour lot at southeast corner of Elmwood and W. Liberty;
- 3) Healthy Business Council of Ohio awarded Healthy Ohio Worksite awards- <300- City

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of Medina - Gold; Community Action Medina/Wayne- silver; Medina County Health Dept.- silver; 301-1000- CCF- Medina Hospital- silver; Somprema- Bronze; 1000+- Westfield- Gold. Congratulations to all award winners!

- 4) Proclamation for Medina Legion Post 202 - 100th Anniversary
- 5) Merry Christmas and Happy holidays to all!

**Mayoral Proclamation** – Medina American Legion Post 202, 100 Year Proclamation

**Keith Dirham, Finance Director**, Keith stated it is a little unusual to have a December Council meeting where we are not finalizing the budget, we already did it in November so all he wanted to say was Merry Christmas and Happy Holidays to everyone.

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

**Chief Kinney, Police Department**, had no report.

**Kimberly Marshall, Economic Development Director**, was absent.

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

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

**Jansen Wehrley, Parks and Recreation Director**, was absent.

**Dan Gladish, Building Official**, had no report.

**Patrick Patton, City Engineer**, reported they were able to finish construction on the bridge located on South Elmwood last week and they did open the intersection of Elmwood and Smith back up. There are some minor work items to still be completed but they can be done without closing traffic access.

**Nino Piccoli, Service Director**, stated this Friday, December 13th they will be ending the leaf program. The city appears to be in good shape with respect to leaf piles and low volumes, so if you have any leaves after this point you can bag them and set them out same time as your trash pickup day.

Mr. Piccoli stated that Jansen from Parks Department wanted him to mention that the Asplundh and Tree Experts Company has been contracted by Ohio Edison to perform vegetation management in the right-of-way throughout the city. They have secured proper permits through the Parks and Rec Department and will leave door hangers to the affected areas where work is performed. Work is anticipated to last for the next three months starting from December 2<sup>nd</sup>.

Mr. Piccoli acknowledged Mr. Bob Starcher for his work as a Councilman.

**Confirmation of Mayor's appointments.**

Airport Commission – Greg Huber, Expiring 12/31/2023  
Archive Commission – Bob Thompson, Expiring 12/31/2022  
Board of Zoning Appeals – Mark Williams & Sam Livingston, Expiring 12/31/2023  
Business Development Committee – Bethany Dentler, Expiring 12/31/2023  
Cemetery Commission – Linda Fenn & Virginia Jeandrevin, Expiring 12/31/2023  
Historic Preservation Board – Paula Banks, Expiring 12/31/2023  
Income Tax Review Board – Mike Jenks, Expiring 12/31/2022  
JEDD Board – John Coyne, Expiring 12/31/2023  
Shade Tree Commission – Virginia Jeandrevin, Expiring 12/31/2023  
Uptown Park Advisory Committee – Robert Molnar, Expiring 12/31/2022

Mr. Shields moved to approve the Mayor's appointments, seconded by Mr. Simpson. Motion passes by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, and B. Lamb.

**Council presentation.**

To outgoing Ward 1 Councilman Bob Starcher.  
Plaque was awarded.

Mr. Simpson thanked Bob Starcher for his tenure on Council. Even though it may have been a short tenure, he hit the road running and became very involved. Dennie stated he has spoken to many Ward 1 residents that were very grateful to Bob, and said that he was very honest with them. On a personal note, Dennie had the privilege and honor of working with Lt. Bob, Sgt. Bob and Patrolman Bob for over 30 years. Dennie and his wife got to be good friends with Bob and his wife Chris spending time back in the day at Put-n-Bay and Cedar Point. He knows Bob's service to the community isn't going to stop, Bob has been involved for his entire career in Medina and since he retired from the Police Department with an exemplary service to the city.

Mr. Rose stated in the short time together on council, he learned a lot from Bob on how to get a few things done like the police do, and how to research on a few other things that he did not know were out there or available. He will miss Mr. Starcher but knows he will see him around a lot.

Mr. Shields stated he was sad to see Mr. Starcher leave the first time from the Police Department and it was nice having him back. He said he is sad to see him now leave council, but knows Bob will stay involved. He said he appreciates all the work Bob has done for the community and greater Medina area as well.

Mr. Heffinger stated that Bob was appointed just after him and it was good to have a buddy system going on over here for two people who weren't completely sure of what they were doing as they jumped through all the hoops. Eric stated it has been an honor to serve with Bob and he promises to take care of his little spider friend that lives in the camera box.

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**Notices, Communications and Petitions:**

**Introduction of Visitors:**

Matt Wiederhold resides at 426 E. Liberty. Publically thanked the City of Medina again for their partnership in the Candle Light Walk, particularly the Parks and Service Departments for going above and far beyond the call of duty to help get things up and running.

Matt shared Main Street Medina's year in review with key notes being a record setting year of growth and achievements, 44 MSM sponsored events, and over 150,000 visitors to the district ultimately generating \$1.5 million dollars of economic impact in our community.

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

**Ord. 192-19:**

**An Ordinance authorizing the payment of \$30,000.00 to Main Street Medina for the City's 2020 Membership Renewal.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 192-19, seconded by Mr. Simpson. Mayor Hanwell stated 10 years ago when he took over as Mayor he challenged Matt to continue what Main Street Medina was doing but do more of it, more events, more activities and from the numbers he just quoted he and the MSM Board have taken it very seriously, so seriously that the City of Medina had to build public restrooms on the square to accommodate the crowds we were getting as well as to bring in our city staff sometimes on Saturdays and Sundays when we have the larger events. Mayor Hanwell respectfully asks council to approve this \$30,000.00 payment to MSM.

John Coyne echoed the Mayor's comments on behalf of council that Matt works tirelessly on a lot of these different events and MSM through the efforts of not only him, but also his board members and volunteers that have shown that Medina is a beacon in North East Ohio.

Mr. Simpson echoed what the Mayor and President of Council said, stating the businesses love Matt and what he does and love the events. Council appreciates what Matt does.

Mr. Heffinger stated on top of everything else that has been stated so far about Main Street Medina, they are continuously striving to push the envelope and keep taking this further and further and building on the brand that we have created here as Medina. He feels that 2020 is going to be a banner year as we look towards south town and all the things that we have planned for the businesses that will be opening there. The roll was called and Ordinance/Resolution No. 192-19 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, and E. Heffinger.

**Ord. 193-19:**

**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, 2020 through December 31, 2021.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 193-19, seconded by Mr. Simpson. Mayor Hanwell stated this is the Medina County Transit and is a two year agreement for

a grand total of \$90,000.00 (\$45,000.00 a year). A portion of it is paid with a CDBG Grant and the remainder from the General Fund. In 2020 they are projecting over 9,900 trips in the city using the fix loop and another 4,900 trips for city demand or ADA trips. The roll was called and Ordinance/Resolution No. 193-19 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

**Ord. 194-19:**

**An Ordinance authorizing the payment to GB Hawk Construction for the Private Home Rehabilitation at 1995 Hathaway Drive, Brunswick, Ohio as part of the PY18 CHIP Grant Program.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 194-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 194-19, seconded by Mr. Simpson. Mr. Mendel stated this is a project in their partnership program with the City of Brunswick for the CHIP Program. Requesting P.O. in the amount of \$40,000 to cover potential change order increases. Emergency is needed to expedite payment to vendor so they may have capital to bid on other CHIP projects. 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, J. Hazeltine, E. Heffinger, and B. Lamb. The roll was called and Ordinance/Resolution No. 194-19 passed by the yea votes of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

**Ord. 195-19:**

**An Ordinance authorizing the Mayor to enter into an Agreement with the Medina County Fair Housing Office to provide Fair Housing Services in conjunction with the PY19 Community Development Block Grant (CDBG) Program.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 195-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 195-19, seconded by Mr. Simpson. The cost is \$6,500.00 to be paid to the Medina County Fair Housing consortium to provide fair housing services under this grant. Emergency requested to have the housing program and the consortium providing these services beginning December 31<sup>st</sup>, 2019. The roll was called on adding the emergency clause and was approved by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. - 19 passed by the yea votes of J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

**Ord. 196-19:**

**An Ordinance authorizing the Mayor to execute a Purchase and Sale Agreement between the Medina County Park District and the City of Medina for the purchase of three (3) acres of real property.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 196-19, seconded by Mr. Simpson. Mayor Hanwell stated that the Medina County Parks purchased a little over 8 acres adjacent to Sealy Mattress that was zoned industrial and it created an area to connect their parks from the east side of Lake Rd., to the west side of Lake Rd., then down through the Medina County University Center property. They asked the City of Medina if they would be interested in whatever property of that purchase that they didn't need, which turned out to be 3 acres and agreed to sell it to us at the same \$7,000 per acre that they paid for it. This is immediately adjacent to the Sealy industrial properties and makes the most sense to keep it industrial zoned and have it available for Sealy or some other industrial purpose in the future and the Mayor respectfully

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asks council for their authorization of the \$27,000.00. The roll was called and Ordinance/Resolution No. 196-19 passed by the yeas votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and J. Hazeltine.

**Ord. 197-19:**

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

Mr. Shields moved for the adoption of Ordinance/Resolution No. 197-19, seconded by Mr. Simpson. Mr. Dirham stated there are two advances here, one is to cover a grant from the CDBG Fund and the other is to cover the County's portion of the project on South Broadway Street. The roll was called and Ordinance/Resolution No. 197-19 passed by the yeas votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, and E. Heffinger.

**Ord. 198-19:**

**An Ordinance amending Ordinance No. 195-18, passed December 10, 2018. (Amendments to 2019 Budget)** Mr. Shields moved for the adoption of Ordinance/Resolution No. 198-19, seconded by Mr. Simpson. Mr. Dirham stated this will hopefully be the last appropriation adjustment to the year since this is the last meeting. The roll was called and Ordinance/Resolution No. 198-19 passed by the yeas votes of P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, and B. Lamb.

**Res. 199-19:**

**A Resolution authorizing the Mayor to submit an application for grant assistance to the State of Ohio for the FY 2021/2022 Capital Bill Funding Cycle; and to submit desired projects to the State for consideration.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 199-19, seconded by Mr. Simpson. Mayor Hanwell stated in the prior capital grants, the City of Medina applied for and was successful in getting monies to renovate the upstairs of the Firehouse that is on the square, replace some of the historic lights, and adding flashing LED's at the mid-block crosswalks. These were all paid with one capital grant and then the parking deck was supplemented with a \$1 million dollars in the past capital grant request. We were contacted by our state legislators asking for items and in a discussion with finance a number of items that came through were more historic lights downtown, the expansion of the Mellert parking lot, adding lights on East Reagan Parkway from Larken's Way to North Court Street to tie into path, to plan to move the dog park from existing location over to Mellert Park, but need parking to make that happen. The roll was called and Ordinance/Resolution No. 199-19 passed by the yeas votes of J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

**Council Comments:**

Mr. Simpson congratulated Jessica Hazeltine on her new position on council and wished her well. Happy, Healthy Holidays to all. Remember those that are less fortunate and remember to be kind to everybody. Dennie thanked all the department heads and city employees for all their hard work this year.

Mr. Heffinger thanked everyone here that continuously works to make the city the way it is. It has been an honor to serve with you this year and Merry Christmas and Happy New Year to all.

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Mr. Rose welcomed Jess and wished everyone a Merry Christmas. Expressed gratitude to city workers and administration.

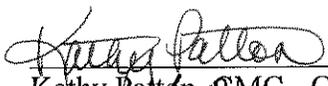
Mrs. Hazeltine relayed that the local non-profit Out Support Medina is being honored on a state level this Thursday in large part due to the legislation that was passed by council. We are setting a good bar through Equality Ohio and it's nice to receive that recognition.

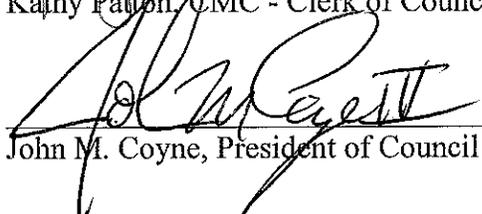
Mr. Lamb thanked the administration and all the city employees for the hard work they do day in and day out. Happy Holidays to all. Bill also recognized Girl Scout Troop #91646 for their efforts in reducing the single use plastic bags. They created a program working with some of the local grocery stores where they put up signs asking people to use reusable bags. Their work was recognized by the Girl Scout Council and the 9 Girl Scouts that were in this troop received their bronze award for their efforts to reduce single use plastic bags in the community.

Mr. Coyne thanked all the hard work and efforts of the members of council, he feels they work well with the administration. January 7<sup>th</sup>, 2020 at 6 p.m. Council will have their Organizational Meeting. Merry Christmas and Happy New Year, see you all next year.

**Adjournment:**

There being no further business before Council, the meeting adjourned at 8:35 p.m.

  
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Kathy Patton, CMC - Clerk of Council

  
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John M. Coyne, President of Council

