

**CITY OF MEDINA
AGENDA FOR COUNCIL MEETING**

March 11, 2019
Medina City Hall
7:30 p.m.

Call to Order.

Roll Call.

Reading of minutes. (February 25, 2019)

Reports of standing committees.

Requests for council action.

Reports of municipal officers.

Notices, communications and petitions.

Unfinished business.

Introduction of visitors.

(speakers limited to 5 min.)

Introduction and consideration of ordinances and resolutions.

Res. 39-19

A Resolution requesting the Medina County Auditor to certify the total current tax valuation and the dollar amount of revenue that would be generated for the renewal of 2.2 mills and an increase of 1 mill for the operation of an Ambulance and Emergency Medical Service.
(emergency clause requested)

Ord. 40-19

An Ordinance adopting an updated City Owned Electronic Device Policy for the City of Medina.

Ord. 41-19

An Ordinance authorizing the payment of \$36,373.00 to Software Solutions Inc. (SSI) for software maintenance of the Finance and Service Departments Accounting System.

Ord. 42-19

An Ordinance authorizing the purchase of five (5) 2020 Ford All Wheel Drive Police Interceptor Explorers from Lebanon Ford for the Police Department.
(emergency clause requested)

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Ord. 43-19

An Ordinance amending Ordinance No. 195-18, passed December 10, 2018. (Amendments to 2019 Budget)

Ord. 44-19

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.

(emergency clause requested)

Council comments.

Adjournment.

MEDINA CITY COUNCIL
Monday, February 25, 2019

Opening:

Medina City Council met in regular, open session on Monday, February 25, 2019. The meeting was called to order at 7:30 p.m. by President of Council John Coyne. Cub Scout Wolf Pack #3507 from First Christian Church 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, B. Starcher and J. Coyne.

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, Jansen Wehrley, Mike Wright, and Jonathon Mendel.

Minutes:

Mr. Shields moved that the minutes from the regular meeting on Monday, February 11, 2019 as prepared and submitted by the Clerk be approved. The roll was called and the motion passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne and E. Heffinger.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated the Finance Committee met prior to the Council meeting this evening and will meet again in two weeks.

Health, Safety & Sanitation Committee: Mr. Simpson announced they had a meeting today prior to the Finance meeting receiving an update from the Police Chief and the Fire Chief. Mr. Simpson stated that sometime in late March or early April he will have another meeting to get an update from Mr. Piccoli on the Sanitation Department.

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb had no report. Still working on a meeting in late March for equality legislation.

Streets & Sidewalks Committee: Mr. Heffinger reported he has a meeting scheduled as Council of the Whole on the 6th of March to discuss the S. Broadway reconstruction. All residents living on the brick section of South Broadway are invited to join us here at City Hall at 6:00 p.m.

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

Emerging Technologies Committee: Mr. Rose had no report.

Requests for Council Action:

19-035-2/25 – Budget Amendments

19-038-2/25 – Fitness Room Addition Project Approval

19-039-2/25 – Expenditure Over \$15,000 – MNJ Technologies – MCRC

19-040-2/25 – Update Electronic Device Policy / Adopt Social Media Policy

19-041-2/25 – Expenditure – Software Solutions – Finance Dept.

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19-042-2/25 – Trade in of three (3) Police Vehicles
19-043-2/25 – Purchase five (5) Police Cruisers – Lebanon Ford
19-044-2/25 – Then & Now – Lexipol
19-045-2/25 – Then & Now – Ohio State Highway Patrol
19-046-2/25 – Then & Now – Verizon
19-047-2/25 – Then & Now – Ohio Edison

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported

- 1) 25th Annual Ice Festival will took place in Medina Friday, February 15th thru Monday, February 18th. Thankful to sponsors and Elegant Ice Creations for bringing this great event to Medina each February. Great draw to our community and support of our businesses. Elegant Ice stated one of best ever and most attended.
- 2) Black History Month celebration Thursday, February 21st, 7 p.m. at Second Baptist. Choir members from community and Claggett Middle School both performed. City was represented by Councilmen Bob Starcher and Jim Shields, Chief Kinney and I.
- 3) Cleveland Scene Magazine ranked Best French Fries- Top twenty places to get best french fries in Cleveland area - Medina had two of the top twenty- PJ Marley's and Yours Truly. Congratulations!
- 4) MSM Ladies Night Out is Thursday, March 7th, 5 p.m. – 8:30 p.m.
- 5) Congratulations to Capt. Larry Codding, Medina Fire Department, on his retirement and thanks to the entire Codding family for their outstanding service to our community on the Fire Department for many years.

Keith Dirham, Finance Director, Mr. Dirham reminded residents to file an income tax with RITA and you can find them on the web at RITA OHIO, there will also be forms here at City Hall. The dates for assistance with city taxes are Thursday, March 14th 9 a.m. – 4 p.m. and Saturday, April 6th 11:30 a.m. – 6:30 p.m. at the Medina Recreation Center.

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.

Mike Wright, Recreation Center Director, Mike congratulated Larry on his retirement.

Jansen Wehrley, Parks and Recreation Director, Jansen stated the Forestry Department was out yesterday evening as well as today and for the next couple of days cleaning up tree debris from the recent high winds we had. If there is anyone out there that does have some damage and it hasn't

been reported please call the Parks Department at 330-721-6950.

Dan Gladish, Building Official, Dan reported 2018 year-end report on the Building Department's responsibilities. 2018 was a very busy and successful year for the City of Medina's Community Development Department, of which the Building Department is a part of.

In 2018 the Building department issued 1,524 construction permits which required 5,668 field inspections.

The 1,524 construction permits represents a total investment or re-investment in the community of \$67.8 million dollars. Of which \$62.2 million was for commercial projects and \$5.6 million was for residential projects. For a city that is pretty much built-out, these investments continue to show that the City of Medina is an excellence place to live and do business.

The city also issued a record number of Contractor Registrations, 959 total for the year. The City of Medina requires all contractor working within the city limits to hold a current registration, the purpose of the registration requirement is to insure that the contractors are current with their state licenses and carry the proper liability insurance.

The large number of construction permits and contractor registrations continues to make the Building Department self-sufficient.

The Building Department has dual responsibilities, new construction and Property Maintenance Code Enforcement.

In 2018 the Building Department performed 652 code enforcement survey inspections. Another 238 complaint inspections. The Building Department was able to resolve all but nine. The nine required court action. The goal is to resolve the property maintenance code concerns on a friendly level, one on one and to only use the courts as a last resort for compliance.

In 2018 there were 49 foreclosures.

Patrick Patton, City Engineer, stated he has received bids for the reconstruction for West Smith Road Phase 3 – the section between Lake Rd. and Commerce Dr. Board of Control awarded a contract for \$1.5 million dollars for that project and anticipate the start time for mid-April.

Nino Piccoli, Service Director, Nino acknowledged the Street crew working together with the Forestry Department and Dispatch Center after the high wind storm that passed through this area.

Confirmation of Council's appointments

Firemen's Dependents Board – Bob Starcher, Exp. 12/31/22

Firemen's Dependents Board – Dennie Simpson, Exp. 12/31/22

Mr. Shields moved to confirm Council appointments, seconded by Mr. Simpson. The roll was called and the appointments were approved by the yea votes of P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne, E. Heffinger 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. 028-19:

A Resolution commending Retired Captain Larry A. Coddling for his dedicated years of service to the City of Medina as a valued member of the Medina City Fire Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 028-19, seconded by Mr. Simpson. Resolution was presented to Larry Coddling for his dedicated 36 years of service. The roll was called and Ordinance/Resolution No. 028-19 passed by the yea votes of J. Shields, D. Simpson, B. Starcher, J. Coyne, E. Heffinger, B. Lamb and P. Rose.

Ord. 029-19:

An Ordinance to amend the Codified Ordinances of the City of Medina, Ohio by amending the following Sections of Part 11 – Planning and Zoning Code, Sections 1109.01, 1141.01, 1141.05, 1145.04(a) and 1147.04(d). Mr. Shields moved for the adoption of Ordinance/Resolution No. 029-19, seconded by Mr. Simpson. Mr. Mendel stated these are proposed amendments to various sections of the Planning and Zoning Code and recommended for approval by the Planning Commission. The roll was called and Ordinance/Resolution No. 029-19 passed by the yea votes of D. Simpson, B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose and J. Shields.

Ord. 030-19:

An Ordinance authorizing the Mayor to sign the Letter of Arrangement with the Auditor of State Keith Faber for the preparation of the annual audit for the City of Medina for the fiscal period ending December 31, 2018. Mr. Shields moved for the adoption of Ordinance/Resolution No. 030-19, seconded by Mr. Simpson. Keith Dirham stated this is for their annual audit. The roll was called and Ordinance/Resolution No. 030-19 passed by the yea votes of B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields and D. Simpson.

Ord. 031-19:

An Ordinance authorizing the increase of the expenditure to Goodyear Tire and Rubber Company to \$40,000 for the Sanitation Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 031-19, seconded by Mr. Simpson. Mr. Piccoli stated this is for the rest of the year in the Sanitation Department. The roll was called and Ordinance/Resolution No. 031-19 passed by the yea votes of J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson and B. Starcher.

Ord. 032-19:

An Ordinance amending Ordinance No. 103-17, passed July 10, 2017 relative to Section 31.01 of the Salary and Benefits Code, the Schedule of Pay for the positions of Members of Council. Mr. Shields moved for the adoption of Ordinance/Resolution No. 032-19, seconded by Mr. Simpson. Mr. Dirham wanted to clarify for everyone at home that they are not changing or increasing council's salaries, what this ordinance will do is clarify that the salaries in place through

2021 will continue beyond 2021 until such time as council should amend them. Mr. Coyne stated there was some confusion in the papers saying they are getting raises but they are not. The roll was called and Ordinance/Resolution No. 032-19 passed by the yea votes of E. Heffinger, P. Rose, J. Shields, D. Simpson, B. Starcher and J. Coyne.

Ord. 033-19:

An Ordinance amending Section 917.04(d) of the Codified Ordinances of the City of Medina, Ohio relative to Bulk Water Rates. Mr. Shields moved for the adoption of Ordinance/Resolution No. 033-19, seconded by Mr. Simpson. Mr. Dirham stated they are not increasing the rate that they charge for bulk water usage but applying a minimum bill for bulk water. The roll was called and Ordinance/Resolution No. 033-19 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne and E. Heffinger.

Ord. 034-19:

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. 034-19, seconded by Mr. Simpson. Mr. Dirham stated these are budget amendments for the Fitness Room project at the Rec Center. The roll was called and Ordinance/Resolution No. 034-19 passed by the yea votes of P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne, E. Heffinger and B. Lamb.

Ord. 035-19:

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. Mr. Shields moved for the adoption of Ordinance/Resolution No. 035-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 035-19, seconded by Mr. Simpson. Mr. Dirham stated this ordinance and the next three deal with expenditures we did not have purchase orders for because of year end. The emergency clause is requested because the vendors need to be paid for the services they provided. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose and J. Shields. The roll was called and Ordinance/Resolution No. 035-19 passed by the yea votes of J. Shields, D. Simpson, B. Starcher J. Coyne, E. Heffinger, B. Lamb and P. Rose.

Ord. 036-19:

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. Mr. Shields moved for the adoption of Ordinance/Resolution No. 036-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 036-19, seconded by Mr. Simpson. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson and B. Starcher. The roll was called and Ordinance/Resolution No. 036-19 passed by the yea votes of B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields and D. Simpson.

Ord. 037-19:

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. Mr. Shields moved for the adoption of Ordinance/Resolution No. 037-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 037-19, seconded by Mr. Simpson. 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, B. Starcher, J. Coyne and E. Heffinger. The roll was called and Ordinance/Resolution No. 037-19 passed by the yea votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher and J. Coyne.

Ord. 038-19:

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. Mr. Shields moved for the adoption of Ordinance/Resolution No. 038-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 038-19, seconded by Mr. Simpson. The roll was called on adding the emergency clause and was approved by the yea votes of J. Shields, D. Simpson, B. Starcher J. Coyne, E. Heffinger, B. Lamb and P. Rose. The roll was called and Ordinance/Resolution No. 038-19 passed by the yea votes of P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne, E. Heffinger and B. Lamb.

Council Comments:

Mr. Simpson thanked the Parks, Forestry, Service, Police and Fire Departments for the extraordinary job they all did over the last 32 to 40 hour wind storm that went through. It was a real dangerous situation for anyone that was outside.

Mr. Lamb congratulated Larry Coddling and stating that he knew his father well. Bill also commended the Scouts in attendance.

Adjournment:

There being no further business before Council, the meeting adjourned at 7:59 p.m.

Kathy Patton, CMC - Clerk of Council

John M. Coyne, President of Council

RESOLUTION NO. 39-19

A RESOLUTION REQUESTING THE MEDINA COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED FOR THE RENEWAL OF 2.2 MILLS AND AN INCREASE OF 1 MILL FOR THE OPERATION OF AN AMBULANCE AND EMERGENCY MEDICAL SERVICE, AND DECLARING AN EMERGENCY.

WHEREAS: The City of Medina has determined it necessary to levy a tax outside the ten (10) mill limitation for the operation of an ambulance and emergency medical service and to place the question on the ballot for the election on November 5, 2019, as permitted pursuant to R.C. 5705.19(H). The City of Medina wishes to request certification from the Medina County Auditor with respect to possible monies that would be generated from the renewal of 2.2 mills and an increase of one (1) mill for a five (5) year period outside of the ten (10) mill limitation.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO, THREE-FOURTHS (3/4) OF ITS MEMBERS CONCURRING HEREIN AS FOLLOWS:

- SEC. 1:** That the City of Medina Council has determined it necessary to levy a tax outside the ten (10) mill limitation for the operation of an ambulance and emergency medical service and to place the question on the ballot for the election on November 5, 2019, as permitted pursuant to R.C. 5705.19(H). The City of Medina Council wishes to request certification from the Medina County Auditor with respect to possible monies that would be generated from the renewal of 2.2 mills and an increase of one (1) mill for a five (5) year period outside of the ten (10) mill limitation.
- SEC. 2:** That the proposed tax is hereby proposed as a renewal with an increase.
- SEC. 3:** That R.C. 5705.19(H) authorizes submission of this levy to the voters.
- SEC. 4:** That the term of the levy is for a five (5) year period of time.
- SEC. 5:** That the tax is to be levied upon the entire territory of the City of Medina.
- SEC. 6:** That the date of election for placement of the question on the ballot is November 5, 2019.
- SEC. 7:** That the ballot measure shall be submitted to the entire territory of the City of Medina.

- SEC. 8:** That the tax year in which the tax will first be levied is 2020 and the calendar year in which the tax will first be collected is 2021.
- SEC. 9:** That the City of Medina is a city located entirely within Medina County, Ohio.
- SEC. 10:** That the Medina County Auditor is hereby requested to certify to the City of Medina the total current tax valuation of the city and the dollar amount of revenue that will be generated by a renewal of 2.2 mills and an increase of one (1) mill for a five (5) year period in which the tax will first be levied in 2020 and the calendar year in which the tax will first be collected is 2021.
- SEC. 11:** That the Clerk of Council of the City of Medina, Ohio, be and she is hereby directed to certify this request to the Medina County Auditor by delivery of a certified copy of this Resolution to the Auditor as soon as practical after the date of passage of this Resolution.
- SEC. 12:** That Resolution 25-19, passed by Medina City Council on January 11, 2019 is hereby repealed and replaced with this Resolution.
- SEC. 13:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 14:** That this Resolution is hereby declared to be an emergency measure necessary for the health, safety, and welfare of the City of Medina and its inhabitants by reason of the need to timely and immediately submit this request contained herein to the Medina County Auditor so that the Medina City Council may have the needed information to make a decision with respect to placing a levy on the November 5, 2019 ballot, and this Resolution shall go into immediate operation and effect.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

Certificate of Estimated Property Tax Revenue

Use this form when a taxing authority certifies a millage rate
and requests the revenue produced by that rate.

The county auditor of _____ County, Ohio, does hereby certify the following:

1. On _____, _____, the taxing authority of the _____
(political subdivision name) certified a copy of its resolution or ordinance adopted _____,
requesting the county auditor to certify the current tax valuation of the subdivision and the amount of revenue
that would be produced by _____ (.) mills, to levy a tax outside the 10-mill limitation for
_____ purposes pursuant to Revised Code § _____, to be placed on the ballot
at the _____, _____, election. The levy type is _____.
2. The estimated property tax revenue that will be produced by the stated millage, assuming the tax valuation of
the subdivision remains constant throughout the life of the levy, is calculated to be \$ _____.
3. The total tax valuation of the subdivision used in calculating the estimated property tax revenue is
\$ _____.

Auditor's signature

Date

Instructions

1. "Total tax valuation" includes the taxable value of all real property in the subdivision as indicated on the tax list most recently certified for collection and estimates of the taxable value of personal and public utility personal property for the first year the levy will be collected as set forth on the worksheets prescribed in conjunction with this form. If the subdivision is located in more than one county, the home county auditor (where the greatest taxable value of the subdivision is located) shall obtain the assistance of the other county auditors to establish the total tax valuation of the subdivision.
2. For purposes of this certification, "subdivision" includes any agency, board, commission or other authority authorized to request a taxing authority to submit a tax levy on its behalf.
3. "Levy type" includes the following: (1) additional, (2) renewal, (3) renewal with an increase, (4) renewal with a decrease, (5) replacement, (6) replacement with an increase and (7) replacement with a decrease levies.
4. Please file this certificate with the subdivision as soon as possible, so the taxing authority can pass a resolution to proceed not later than 90 days before the election.

ORDINANCE NO. 40-19

AN ORDINANCE ADOPTING AN UPDATED CITY OWNED ELECTRONIC DEVICE POLICY FOR THE CITY OF MEDINA.

WHEREAS: Ordinance 105-13, passed June 24, 2013 adopted a City Owned Electronic Device Policy for the City of Medina; and

WHEREAS: A request to amend this Ordinance by adding Sections 4.2 and 4.3 was received pertaining to text message and social media retention.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That the updated City Owned Electronic Device Policy for the City of Medina is hereby adopted.

SEC. 2: That all previous ordinances pertaining to electronic device policies are hereby repealed.

SEC. 3: That a copy of the updated Policy with the addition of Sections 4.2 and 4.3 is marked Exhibit A, attached hereto and incorporated herein.

SEC. 4: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 5: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

CITY OF MEDINA
CITY OWNED ELECTRONIC DEVICE POLICY

SECTION 1: POLICY

The City of Medina ("the City") provides electronic devices which shall include but is not limited to iPads and cell phones to assist you in performing your work more efficiently, and thereby, improving our service to the public. This policy is designed to address what are, and are not, appropriate uses for these important business tools.

The explicit privileges and restrictions set forth below cannot possibly cover every situation that may arise in connection with the use of this new form of electronic communication. More important than any explicit statement made below is our City Owned Electronic Device, Internet and E-mail usage philosophy, which you are expected to understand and respect. This philosophy governs all of your on-line activities, and you are expected to act in accordance with it at all times.

First and foremost, electronic devices, Internet, and E-mail access are provided to you as tools for conducting City business. That means you are expected to use your access primarily for business-related purposes, i.e., to research relevant topics, obtain useful information for City-related business, and conduct business communications as appropriate. All of the City's computer systems, including electronic devices, are considered to be public property. All documents, files, and E-mail messages are considered public records, are subject to the Ohio Public Records Law, and are considered the property of the City of Medina, and may be subject to review without notice by City officials.

The City insists that you conduct yourself honestly and appropriately with electronic devices and on the Internet and in the use of E-mail, and respect the copyrights, software license provisions, property rights, privacy and prerogatives of others, just as you would in any other business dealings. All existing City policies continue to apply to your conduct on the Internet and in the use of E-mail, including but not limited to those that deal with misuse of City resources, sexual harassment, information and data security, and confidentiality.

Second, you must be aware at all times that your electronic device, Internet, and E-mail activities will be traceable to the City of Medina and will impact the reputation of the City. You must refrain from making any false or defamatory statements in any Internet forum or from committing any other acts which could expose the City to liability. Inherent in the City's Internet and E-mail access is the power to monitor the activities of every employee.

The City's electronic device hardware and direct connection to the Internet and extension of E-mail privileges offer many benefits and can enhance the productivity of City employees in all areas. At the same time, they open the door to risks to the City's data and systems if appropriate security measures are not maintained. You shall not download files from sources which you have any reason to believe may be untrustworthy nor shall you open and read files attached to E-mail transmissions unless you have knowledge that they originate from a trustworthy source. Downloaded files and attachments may contain viruses or hostile applications that could damage the City's systems. You will be held accountable for any breaches of security caused by files obtained for non-business purposes.

SECTION 2: DETAILED INTERNET POLICY PROVISIONS

A. The City reserves the right to inspect any and all files stored on computers, iPads, or other electronic devices, which are the property of the City of Medina, in order to assure compliance with this policy. Employees and Council members have no personal privacy right in any matter created, received, stored in, or sent from any City computer system, or electronic device, which are the property of the City of Medina, in order to assure compliance with this policy.

B. The City's computer systems and electronic devices are intended to be used for legitimate business reasons with the goal of improving our service to the public.

C. City employees must seek approval from a supervisor before downloading any software from the Internet to a City owned electronic device. For use of the iPad, Council members will need to use a personal credit card to set up an account with iTunes. Any software, E-mail messages, or files downloaded via the Internet into the City systems become the property of the City, and may only be used in ways that are consistent with licenses or copyrights. City Council members need not seek supervisor approval, but must follow the principals established by this policy.

D. E-mail and Internet communications are considered public records subject to disclosure to the public pursuant to the Ohio Public Record's Act. City employees must seek appropriate guidance from supervisors before using the Internet and E-mail. City employees shall be familiar with and comply with the record's retention policy applicable to E-mail as established by the City Record's Commission. City Council members need not seek supervisor guidance, but must follow the principals established by this policy.

E. No employee shall send any messages of an obscene, libelous, vulgar, or defamatory nature. Messages should not be written in a degrading or demeaning manner.

F. All communications and messages by City employees and City Council members shall not solicit support for or opposition to any partisan candidates, nor shall City employees and City Council members use their official capacity to attempt to influence, interfere with, or affect the results of any election unless doing so comports

with the employee's job duties. The City's electronic devices, Internet and E-mail shall not be used to organize, solicit funds for, or otherwise actively participate in a fundraising function for a partisan political party or candidate. Because the participation in political activities is a complicated and fluid area of the law, employees are strongly advised to consult formally with the City Law Department prior to communication on the Internet or E-mail which has a potential political impact.

G. No employee or City Council member may use the electronic device, Internet, or E-mail for operating a business for personal gain, sending chain letters, soliciting money for religious or political causes, or any other purpose that interferes with normal City business activities.

H. No employee or City Council member may use City electronic communications facilities to deliberately propagate any virus or other hostile computer program or file, to disable or overload any computer system or network, or to circumvent any system intended to protect the privacy or security of another user.

I. Each Employee or City Council member using City electronic communications facilities shall identify himself or herself honestly, accurately, and completely at all times.

J. No employee or City Council member shall grant anyone who is not an employee of the City access to City electronic communications facilities.

K. The provisions of this section shall not apply to members of the Police Department and City Prosecutor's department when engaged in legitimate law enforcement activities, which, due to their nature, may require Internet and E-mail communications which would otherwise violate the provisions of this policy.

L. The electronic device hardware shall be covered for loss, accidental damage, or theft pursuant to the City of Medina's insurance coverage.

SECTION 3: COMPLIANCE

Employees of the City of Medina must comply with each and every provision of this electronic device, Internet, and E-mail policy. Any City employee who violates this policy is acting outside the course and scope of his or her employment with the City. Any employee who violates this policy shall be subject to disciplinary action up to and including, if deemed appropriate, termination of employment. Any City employee who is aware of the violation of this policy by another City of Medina employee shall immediately report the violation to his or her supervisor or the City Law Director. Any Council member who violates this policy may be subject to public censure by the Medina City Council, if deemed appropriate.

SECTION 4: NOTICE

The City shall take all appropriate steps to inform all employees and all Council members of the City of Medina of the contents of this policy. Each department supervisor will distribute a copy of this policy to current and future employees who have contact with City computer systems. The Council Clerk shall provide a copy of this policy to Council members. Before being authorized to access and utilize City computer and iPad equipment for Internet and E-mail communication, a City employee and/or City Council member shall sign the City of Medina's Internet Access Agreement, a copy of which is attached hereto.

SECTION 4.1: IPAD AND CELL PHONE MANAGEMENT NOTICE

All City owned electronic devices will be managed by City IT staff through a management software application. The purpose of this management is to be able to do any and all of the following in case of loss or theft: GPA locate the device, lock the device, erase the device, monitor installed applications, send a message to the device, remove undesirable imbedded functionality, and require the end user to use a password to lock the device when not in use. Employees are forbidden to remove this management application/software from their device and understand when powered on and connected to the Internet, the management of their device is possible.

SECTION 4.2: TEXT MESSAGE RETENTION

For employees issued a City owned cellular phone, they shall use the City issued phone when text messaging City related business. The use of this phone is primarily for business purposes. Any and all text messages sent or received via the City issued phone will be stored and retained through the City's archiving vendor.

Any employee using a City issued iPhone is strictly prohibited from sending text messages using iMessage.

SECTION 4.3: SOCIAL MEDIA RETENTION

All commentary and/or posts made in response to social media used by the City of Medina will be stored and retained by the City's archiving vendor.

SECTION 5: RETURN POLICY - IPADS

Council members shall return their iPad to the Council Clerk when the individual Council member's term and service on the Medina City Council has ended. The iPad will be wiped clean of any and all information upon return of the iPad to the Council Clerk at the end of a Council member's term and service.

SECTION 6: RETURN POLICY – CITY OWNED ELECTRONIC DEVICES

At the end of service to the city all employees utilizing City owned electronic devices shall return them to their immediate supervisor. Devices will then be turned over to the City IT staff to be wiped of any and all information stored on the City owned electronic device.

SECTION 6: CONCLUSION

The City of Medina has provided electronic devices, Internet, and E-mail access to its employees and Council members for the purpose of performing work efficiently and effectively in the context of available communication technologies. While compliance with this detailed policy is mandatory, it should not impede your legitimate use of these facilities. The purpose of this policy is to ensure that all use is consistent with the law and with the ethical and business practices which the City follows.

CITY OF MEDINA
NETWORK AND INTERNET ACCESS AGREEMENT
FOR CITY EMPLOYEES

I, the undersigned City of Medina employee, have been provided a copy of the City Computer, Electronic Media and City Owned Electronic Device Policy and understand its contents fully. I accept and understand the terms of the policy and agree to abide by all terms contained in it. I will indemnify the City for any reasonable fees, expenses, or damages incurred as a result of my intentional or malicious misuse of the City's computers, electronic devices, and communication equipment. I understand that there are a number of potential circumstances where I could innocently or inadvertently cause damage to the City computer networks or systems for which I would not be held liable. I would expect that due process rights would be afforded to me should any charge of damage or misuse of the City computer systems be brought against me.

City Employee

Date

CITY OF MEDINA
NETWORK AND INTERNET ACCESS AGREEMENT
FOR CITY COUNCIL MEMBERS

I, the undersigned City of Medina Council member, have been provided a copy of the City Computer Electronic Media and City Owned Electronic Device Policy and understand its contents fully. I accept and understand terms of the policy and agree to abide by all terms contained in it. I will indemnify the City for any reasonable fees, expenses, or damages incurred as a result of my intentional or malicious misuse of the City's computers, iPads, and communication equipment. I understand that there are a number of potential circumstances where I could innocently or inadvertently cause damage to the City computer networks or systems for which I would not be held liable. I would expect that due process rights would be afforded to me should any charge of damage or misuse of the City computer systems be brought against me.

City Council Member

Date

ORDINANCE NO. 41-19

AN ORDINANCE AUTHORIZING THE PAYMENT OF \$36,373.00 TO SOFTWARE SOLUTIONS INC. (SSI) FOR SOFTWARE MAINTENANCE OF THE FINANCE AND SERVICE DEPARTMENTS ACCOUNTING SYSTEM.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That the payment of \$36,373.00 is hereby authorized to Software Solutions Inc. (SSI) for software maintenance of the Finance and Service Departments' eGov Professional Accounting System for the period of March 1, 2019 through February 28, 2020.

SEC. 2: That the funds to cover this payment are available as follows:

<u>Account No.</u>	<u>Department</u>	<u>Amount</u>
001-0707-53321	General Administration	\$18,914.00
106-0101-53321	Police	1,455.00
513-0531-53321	Water Office	5,456.00
513-0708-53321	Utility Billing	8,002.00
514-0541-53321	Sanitation	2,546.00

SEC. 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 4: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: _____ **SIGNED:** _____
President of Council

ATTEST: _____ **APPROVED:** _____
Clerk of Council

SIGNED: _____
Mayor

ORDINANCE NO. 42-19

AN ORDINANCE AUTHORIZING THE PURCHASE OF FIVE (5) 2020 FORD ALL WHEEL DRIVE POLICE INTERCEPTOR EXPLORERS FROM LEBANON FORD FOR THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS: In accordance with H.B 204, the Police Department has requested authority to purchase police cruisers without competitive bidding or participation in the state cooperative purchase contracts provided they can verify that the political subdivision can purchase the supplies or services from another party upon equivalent terms, conditions, and specification but at a lower price than it can through those contracts; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That the purchase of five (5) Ford All Wheel Drive Police Interceptor Explorers from Lebanon Ford, State Contract No. RS90153, is hereby authorized for the Police Department.

SEC. 2: That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director’s certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.

SEC. 3: That the funds to cover this purchase, in the amount of \$139,384.00, are available in Account No. 106-0101-54417.

SEC. 4: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 5: That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to purchase before pricing increases; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 43-19

**AN ORDINANCE AMENDING ORDINANCE NO. 195-18,
PASSED DECEMBER 10, 2018. (Amendments to 2019 Budget)**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That Ordinance No. 195-18, passed December 10, 2018, shall be amended by the following additions:

<u>Account No./Line Item</u>	<u>Additions</u>
106-0101-54417 (Police-Vehicles)	\$ 58,004.00 *

SEC. 2: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 3: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

* - new appropriation

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

ORDINANCE NO. 44-19

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, AND DECLARING AN EMERGENCY.

WHEREAS: Certain certifications are necessary for the continued operations of Municipal Services; and

WHEREAS: This Ordinance will provide for the efficient and lawful certifications to provide Municipal Services as required by Ohio Revised Code Section 5705.41(D); and

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director's certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.

SEC. 2: That the Finance Director is authorized to draw warrants for the payment of Invoice to Huntington National Bank for the Magistrate's office furniture from Talberts Commercial Products at the Municipal Court.

SEC. 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 4: That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason because of the immediate need for the authorization of expenditures, this Resolution shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

TALBERTS COMMERCIAL PRODUCTS

P.O. BOX 829 MEDINA, OH 44256

330 725 3877 FAX 330 722 1720 SALES@TALBERTS.COM

WWW.TALBERTS.COM

October

31, 2018

**MEDINA CITY MUNICIPAL COURT
CONFERENCE TABLE DESK AND JURY CHAIRS**

COLOR: MAHOGANY

MAGISTRATES OFFICE

	QTY	LIST	YOUR PRICE	EXT
HHTLC42B4.G.N.N.N 42W X 84D CONFERENCE TABLE TOP/MAHOG.	1EA	\$841.00	\$546.65	\$546.65
HTLP84.N BASE LEGS FOR 84"CONFERENCE TABLE/MAHOG.	1ST	\$536.00	\$348.40	\$348.40
HGROMMET PLASTIC CIRCULAR GROMMET FOR TOP	2EA	\$35.00	\$24.00	\$48.00
H105102.N.N PEDESTAL,MOBILE,BX/BX/FILE,MAHOGANY LAMINATE	2EA	\$626.00	\$499.99	\$999.98
H1522 22W X 15D PENCIL DRAWER/MAHOG LAM	2EA	\$177.00	\$115.05	\$230.10
LLR85563 MID-BACK MESH CHAIR,FABRIC SEAT,ADJ.,ARMS see page 149 letter E of the furniture catalog	2EA	\$352.00	\$205.79	\$411.58
H1876 36W X 72H X 11D BOOKCASE,6 SHELF,LAMINATE/MAHOG.	1EA	\$422.00	\$274.30	\$274.30
H1801 36W X 25H DOORS FOR BOOKCASE/	1ST	\$192.00	\$124.80	\$124.80

ITEMS BELOW ARE NOT INCLUDED IN THE QUOTE

LLR64868 CHAIR POSSIBILITY FOR JURY AREA see page 150, letter D of the furniture catalog	1EA	125.89/EA		
HON2191NSR11 HON PILLOWSOFT HIGH BACK CHAIR see page 153 letter A of the furniture catalog	1EA	648.49/EA		

SUB-TOTAL	\$2,983.81
INSTALLATION	\$275.00
TOTAL	\$3,258.81
SH	FREE
TAX @ 6.75%	\$219.94
TOTAL	\$3,478.75

IMPORTANT ! PLEASE READ: THIS IS A LEGALLY BINDING CONTRACT

- ALL SALES ARE FINAL -**NO RETURNS ON SPECIAL ORDER FURNITURE.** WITH THE EXCEPTION OF CONCEALED DAMAGE- IN THIS EVENT WE WILL REPLACE THE DAMAGED PIECE AT NO ADDITIONAL COST TO THE CUSTOMER
- ALL PRICE QUOTES ARE ONLY GOOD FOR 30 DAYS FROM THE DATE OF QUOTE
- PLEASE REVIEW YOUR PLAN AND COLOR/STYLE SCHEME TO MAKE CERTAIN THEY ARE CORRECT TO YOUR SPECIFICATIONS - YOUR FURNITURE WILL BE ORDERED EXACTLY AS IT APPEARS ON THE ABOVE PROPOSAL
- PLEASE ALLOW APPROXIMATELY 4-6 WEEKS FOR DELIVERY
- INSTALLATION FEE IS BASED ON A CLEARED OUT AREA TO BUILD FURNITURE/PANEL SYSTEM, WE DO NOT REMOVE EXISTING FURNITURE, PANELS, ETC.
- TERMS OF PAYMENT: **1/2 DOWN AND BALANCE DUE ON INSTALLATION OR PAYMENT IN FULL**

I ACCEPT AND AGREE TO PURCHASE THE FURNITURE PROPOSAL AS OUTLINED ABOVE

NAME: _____ TITLE: _____

COMPANY/ORGANIZATION: _____ P.O.# _____

SIGNED: _____ DATE: _____