

CITY OF MEDINA
AGENDA FOR COUNCIL MEETING
November 10, 2014
Medina City Hall
7:30 p.m.

Call to Order.

Roll Call.

Reading of minutes. (October 27, 2014)

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.

Ord. 177-14

An Ordinance rezoning various parcels on W. Smith Road from R-3 High Density Urban Residential to C-2 Central Business District.

Ord. 178-14

An Ordinance authorizing the payment of \$30,000.00 to Main Street Medina for the City's 2015 Membership Renewal.

Ord. 179-14

An Ordinance amending Section 133.01 of the codified ordinances of the City of Medina, Ohio relative to Association Memberships.

Ord. 180-14

An Ordinance adopting the Planning and Zoning Code Fee Schedule for the City of Medina, Ohio.

Ord. 181-14

An Ordinance accepting the appraisals (Fair Market Value Estimates) for the West Smith Reconstruction Project.
(emergency clause requested)

Ord. 182-14

An Ordinance authorizing the Mayor to accept an Easement Agreement for the West Smith Road Reconstruction Project (Parcel #14).
(emergency clause requested)

Ord. 183-14

An Ordinance to adopt, administer, and enforce a new Chapter 1345 of the codified ordinances of the City of Medina, Ohio relative to the 2011 Ohio Plumbing Code.
(emergency clause requested)

Ord. 184-14

An Ordinance amending Chapter 1311 of the codified ordinances of the City of Medina, Ohio relative to the adoption of a new Section 1311.044, Plumbing Permit Fees.
(emergency clause requested)

Ord. 185-14

An Ordinance amending Ordinance No. 208-13, passed December 9, 2013.
(Amendments to 2014 Budget)

Council comments.

Adjournment.

MEDINA CITY COUNCIL
October 27th, 2014, Regular Session

Public Hearing

To consider the Planning Commission's recommendation to rezone Parcel Nos. 028-19A-21-273, 028-19A-21-271, 028-19A-21-272, 028-19A-21-274 and 028-19A-21-270 from R-3, High Density Urban Residential to C-2, Central Business District.

Mr. Mendel stated on August 14th, 2014 the Planning Commission concluded a review of the rezoning request initiated by Habitat for Humanity of Medina County to rezone these properties within the 200 block of W. Smith Rd. Part of the argument was due to the amount of traffic on Smith Road and the obtuse angle of the railroad crossing Smith Rd. is not really conducive to residential redevelopment. Mr. Lamb questioned the amount of traffic in that area.

No one was there to speak against the proposed zoning change.

The public hearing closed 7:35 p.m.

Opening:

Medina City Council met in regular, open session on Monday, October 27th, 2014. The meeting was called to order at 7:35 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 J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

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

Minutes:

Mr. Shields moved that the minutes from the regular meeting on October 14th, 2014 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 D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated the Finance Committee met prior to Council this evening and will meet again on Monday, November 10th, 2014.

Health, Safety & Sanitation Committee: Mr. Rose had no report but is working on scheduling a meeting in November.

Public Properties Committee: Mr. Shields stated there is a meeting on Tuesday, Oct. 28th at 5:30 p.m.

Special Legislation Committee: Mr. Lamb stated there is a meeting scheduled for Wednesday, October 29th at 5:30 p.m.

Streets & Sidewalks Committee: Mr. Simpson had no report.

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

Requests for Council Action:

Finance Committee

- 14-216-10/27 – 2015 Member Renewal Main Street Medina
- 14-217-10/27 – Amend Sec. 133.01 Association Memberships
- 14-218-10/27 – Adopting Fee Schedule – Planning & Zoning
- 14-219-10/27 – FMVE for West Smith Reconstruction
- 14-220-10/27 – Amend Chapter 1311 - 2011 Plumbing Code, Permit fees
- 14-221-10/27 – Increase P.O. #2014-869 – Davis Tree Farm
- 14-222-10/27 – Increase P.O. #2014-281 – Signal Service Co.
- 14-223-10/27 – Amending Ord. 161-14 – Additional Auction Items
- 14-224-10/27 – Easement – W. Smith Rd. (Parcel #14)

Special Legislation

- 14-225-10/27 – Discuss Possible Legislation to Regulate Donation Bins/Boxes

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported the following:

- 1) LST Levy- On city resident's ballot Issue #1 is an LST levy renewal. This is to fund our Advanced Life Support care and ambulance services from Medina Hospital/Cleveland Clinic. Our safety forces - police, fire, and LST work collaboratively and save lives routinely. Cost is about \$60.45 per \$100k value per the County Auditor's office. Mayor Hanwell encouraged residents to vote yes for levy to continue our excellent services.
- 2) Cable Show - City Government Discussion - President John Coyne and I recently taped a cable show with help from Medina TV covering the City's Strategic Plan, five year budget process, and some more recent capital purchases/expenses. The link for this show is on city website - www.medinaoh.org in the news section; or you may watch on Armstrong Channel 37; or you may go to www.medinatv.org. Thanks to Jarrod Fry from Medina TV for his assistance with this.
- 3) Trick or Treat - City of Medina will have trick or treat on Friday, 10/31/14 from 6 p.m. to 8 p.m. Chief Berarducci will discuss safety and proactive plans. Some requests were received for the city to move to day earlier or later, but when this was attempted in the past, there was equal or greater resistance as some have already planned events, activities, parties, etc. for the 31st.
- 4) Veteran's Day Concert - Monday, November 10, 2014 at 7 p.m. - Saint Francis Church will host the annual Veteran's Day Concert with the Medina Community Band. Parking is available at the church, with overflow permitted at 600 East Smith and 620 East Smith

Road. Concert is free, but guests are asked to bring in a non-perishable food item to support Saint Vincent DePaul Society.

Keith Dirham, Finance Director, reported the following:

Spoke of the LST Levy renewal in November and as mentioned, it is \$60.45 per year for owner of a \$100,000 home. It provides funding to pay for emergency services for ambulance service. It is a renewal not an increase in tax rate. The State is phasing out the exemption and by doing a renewal we preserve that exemption.

Greg Huber, Law Director, had no report.

Chief Berarducci, Police Chief, reported the following:

Some safety precautions for Halloween night are as follows: 11 marked Police cars on the road during the Trick or' Treat hours of 6-8 p.m. There will be 2 sergeants that will each take half of the city and oversee the special patrol activities. The Medina Life Support Team and the Fire Department will both have two units out on each side of town. The Medina Community Police Academy Alumni Association members will also be out in their own vehicles equipped with cell phones as spotters in the neighborhoods to alert Police if needed. Chief Berarducci suggested wearing flame retardant material costumes for children and brightly colored or edged with reflecting tape so motorists can see the children. Attach the children's name, address and phone number to the inside of costume in case your child gets lost. No child under the age of 12 should be out by themselves.

Assure the costume is not too long, use washable face paint instead of masks so their vision is not compromised. Teach child not to respond to a driver or pedestrian that calls out to them. Make sure you check all candy or food before they eat any. Provide them with flashlights and teach them to stay on the sidewalks and to be aware of their surroundings and cars. Don't go to homes that don't have a porch light on and never enter anyone's house under any circumstances while Trick or' Treating.

Kimberly Rice, Economic Development Director, had no report.

Jonathon Mendel, Community Development Director, had no report.

Chief Painter, Fire Chief, had no report.

Mike Wright, Recreation Center Director, reported the following:

Basketball registration and skills testing for grades 2nd through 5th are Wednesday, November 5th, Thursday, November 6th and Saturday, November 8th. \$50 for members and \$60 for non-members. Grades 6th through 12th are Wednesday, November 12th, Thursday, Nov. 13th and Saturday, November 15th. Rates are \$60 for members and \$70 for non-members. Please go to our website at www.medinarec.org for times and other inquiries regarding the Kindergarten and First Grade leagues. The next Rec. Advisory Board meeting is Thursday, Nov. 20th at the Recreation Center at 7:30 a.m.

Jansen Wehrley, Parks and Recreation Director, reported the following:

The Forestry Department Fall Tree Planting will begin in the next week and be completed by December 1st. 239 trees will be planted in tree lawns. Locations for trees are marked with yellow flags and we appreciate the residents' patience with this project.

Dan Gladish, Building Official, reported the following:

He thanked the Building Dept. staff for all their hard work, he is proud to say that with the current work load the department is providing same day service.

Patrick Patton, City Engineer, reported the following:

Two construction contracts were awarded by the BOC, one being the Lake Rd. reconstruction between Lafayette and West Smith and the second one is Wadsworth water line replacing a section and being funded with a 0% interest loan through the Ohio Public Works Commission.

There is a section of South Court Street just north of Smith that was recently resurfaced by ODOT and has been rejected. The material was not up to ODOT standards and that will be removed and replaced on October 29th starting at 9 a.m.

Nino Picolli, Service Director, reported the following:

The leaf season is here and starting Tuesday October 28th the crews will be vacuuming leaves in the North West Quadrant of the city/Ward 1, proceeding to the North East, then South East and then South West in a clockwise fashion. Check the website for updates and the Leaf Hotline at 330-725-5323. Please rake leaves to the curb not into the street due to the storm sewers.

The city Auction will be this Saturday, November 1st, at the city garage. 781 West Smith Rd. There will be over 300 items such as bicycles, cars, trucks, electronics and tools. Preview is at 9 a.m. and the auction begins at 10 a.m.

Notices, Communications and Petitions:

Liquor Permit:

Mr. Shields moved not to object to the issuance of a new C1 and C2 permit to Cineen Inc. dba VIP Mini Mart 238 N. Court Street, seconded by Mr. Simpson. The roll was called and approved by the yeas votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Mr. Shields moved not to object to the issuance of a TREX transfer of a D1, D2 and D3 permit from Homescapes for sale by Owner Club, Inc. dba Decades, 1618 SR 60, Vermilion Twp. To Tokyo Inc., 1132 N. Court Street. Seconded by Mr. Simpson. The roll was called and approved by the yeas votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Unfinished Business:

There was none.

Introduction of Visitors:

Joyce Kimbler from Seville, Ohio, candidate for the upcoming election in Medina County Court of Common Pleas. This court handles such things as felony level and criminal matters. Usually what happens during Election Day is the judges that makes some of the most important decisions that affect the lives of the people of Medina County are elected by maybe 25% of the voting

population. For 29 years she has practiced solely in the Court of General Jurisdiction Common Pleas Court. She has handled over 1,400 cases of this level of court, over 100 Jury trials and felony criminal matters. She urged residents to educate themselves before going to the polls to vote.

David Sheldon, 4023 Fairway Dr. Montville and has been a resident since 1997. He is a candidate for Juvenile Probate Judge. There are many issues in the community facing our youth today, one is heroin use and addiction, and the other issue is mental health. Many of the youth that enter into our juvenile justice system have mental health issues. 65% to 70% of all the youth we come in contact with in this country through the juvenile justice system meet the criteria for at least one mental health issue. He went on to explain his plan for dealing with these two very important issues.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 170-14:

An Ordinance authorizing the Mayor to enter into a renewal contract with United Healthcare for health care insurance for the employees of the City of Medina. Mr. Shields moved for the adoption of Ordinance/Resolution No. 170-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 170-14, seconded by Mr. Simpson. Mayor Hanwell stated this is the health care the employees currently have, so no change over would be necessary with cards, doctors or providers. Because of our claims history and the Wellness Program we were able to obtain an increase of only 4.23%. Emergency clause is needed due to paperwork. 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. 170-14 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 171-14:

An Ordinance amending Ordinance No. 126-14, passed July 14, 2014, relative to the expenditure to Securitec for the purchase and installation of an amplifier and speaker system for the Uptown Park. Mr. Shields moved for the adoption of Ordinance/Resolution No. 171-14, seconded by Mr. Simpson. Mr. Wehrley explained this is to increase the previously authorized amount due to a part that needed replaced that was not part of our original project. The roll was called and Ordinance/Resolution No. 171-14 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Ord. 172-14:

An Ordinance authorizing the increase of the expenditure to Wingfoot Commercial Tire Systems from \$25,000.00 to \$35,000.00. Mr. Shields moved for the adoption of Ordinance/Resolution No. 172-14, seconded by Mr. Simpson. Mr. Piccoli stated this is for tire and tire accessories that will allow us to get through the rest of this year. The roll was called and Ordinance/Resolution No. 172-14 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Ord. 173-14:

An Ordinance authorizing the Mayor to accept easement agreements for the West Smith Rd. Reconstruction Project (Parcels #3, 4, 6A, 7, 10, and 18). Mr. Shields moved for the adoption of Ordinance/Resolution No. 173-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 173-14, seconded by Mr. Simpson. Mr. Patton stated the emergency clause is needed because the property owners have signed these agreements and we would like to issue payment and record these as soon as possible. The roll was called on adding the emergency clause and was approved by the yea 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. 173-14 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Ord. 174-14:

An Ordinance authorizing the Mayor to accept two (2) easements necessary for the Lake Road Reconstruction, Phase 2 Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 174-14, seconded by Mr. Simpson. Mr. Patton stated these are storm sewer easements necessary to complete the project, one of them is a dual jurisdiction lot and the other is in the Township. The roll was called and Ordinance/Resolution No. 174-14 passed by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 175-14:

An Ordinance authorizing the expenditure of \$245,521.00 to various vendors/contractors for emergency repairs to South Court Street due to a water main break. Mr. Shields moved for the adoption of Ordinance/Resolution No. 175-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 175-14, seconded by Mr. Simpson. Mr. Patton spoke of the water main break back on September 10th and as a result of the break they made a decision to replace the entire water main in the block South Court between Washington and Smith. The emergency is needed to pay the vendors. 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 and B. Hilberg. The roll was called and Ordinance/Resolution No. 175-14 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 176-14:

An Ordinance Amending Ord. 161-14, passed September 22, 2014, relative to the auction, sale or disposal of city equipment and vehicles no longer in use. Mr. Shields moved for the adoption of Ordinance/Resolution No. 176-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 176-14, seconded by Mr. Simpson. Mr. Piccoli there are 72 plus items from the Municipal Court we would like to include in our auction. The emergency is needed since we added the 72 plus items to our list. 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. 176-14 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Council Comments:

Mr. Rose spoke of Election Day on Tuesday, November 4th and the opportunity to vote and elect our US Congress Representative, Governor, State Officials and Medina County Officials and support at least one very important local item the LST levy. This 2.2 mil renewal levy preserves the Homestead Exemption and does not increase your taxes this year. Costs on an average of \$17.00 for the average home. He spoke of Councilman Dennie Simpson who was just recently on Channel 5 for saving a life.

Mr. Simpson reminded the residents to vote on November 4th. Happy Birthday to Kevin McMannis.

Mr. Lamb spoke of the Salvation Army being out with their kettle and bell collecting money during the Holidays and 90% of the money collected in Medina City stays in Medina City. They have endured cuts of about \$30,000 due to loss of funding from United Way. They had to cut the number of students that were a loud to come and be tutored, nurtured and fed 5 days a week. Mr. Lamb needs volunteers with a kettle for the Square during the Holidays.

The SPCA had their Paws for a Cause 5K race/walk on the Square there were 650 people who attended the event. On November 8th they have another annual event Furry Frolic at Rustic Hills Country Club.

On Saturday, Mr. Lamb stated he will be on South Broadway St. talking to residents at 10 a.m. with regards to any issues you may have with your neighborhood and the condition of the brick street.

November 13th is the next Initiative of Neighborhoods meeting at the Salvation Army, 425 West Liberty at 7 p.m. Speaker will be Professor Raymond Cox.

Mr. Kolesar spoke of the opportunity to vote on November 4th. Make your voice heard.

Mr. Coyne spoke of the Budget Hearings still being held.

November 3rd, in the Rotunda here at City Hall at 6 p.m. we are having a joint meeting with City of Wadsworth and the City Council of Brunswick to discuss county issues, issues related to the CPF, Casino Money, 911 and various other collaborative efforts that we can do.

Adjournment:

There being no further business before Council, the meeting adjourned at 8:17 p.m.

Kathy Patton, Clerk of Council

John M. Coyne, III, President of Council

ORDINANCE NO. 177-14**AN ORDINANCE REZONING VARIOUS PARCELS ON W. SMITH ROAD FROM R-3 HIGH DENSITY URBAN RESIDENTIAL TO C-2 CENTRAL BUSINESS DISTRICT.**

WHEREAS: On January 9, 2014, Habitat for Humanity submitted application to the Planning Commission, Case #P14-02 to rezone 223 W. Smith Road from R-3 to C-2; and

WHEREAS: After the Planning Commission suggested to incorporate adjacent properties into the rezoning, the application came back and at the August 14, 2014 meeting the following properties were added to the application: 207 W. Smith, 213 W Smith, 229 W. Smith and 253 S. Elmwood Avenue; and

WHEREAS: The Planning Commission on August 14, 2014 reviewed the revised rezoning application and recommended approval to rezone the above referenced properties from R-3 to C-2; and

WHEREAS: The notice of public hearing by Medina City Council was duly published and the hearing was duly held October 27, 2014; and

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

SEC. 1: That the following parcels shall be rezoned from their current zoning of R-3 High Density Urban Residential to C-2 Central Business District:

- 1) 223 W. Smith Road – Parcel No. 028-19A-21-273
- 2) 207 W. Smith Road – Parcel No. 028-19A-21-271
- 3) 213 W. Smith Road – Parcel No. 028-19A-21-272
- 4) 229 W. Smith Road – Parcel No. 028-19A-21-274
- 5) 253 S. Elmwood Ave. – Parcel No. 028-19A-21-270

SEC. 2: That the City Engineer is hereby directed to amend the zoning map as necessary to correctly reflect this change in zoning.

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: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 178-14

AN ORDINANCE AUTHORIZING THE PAYMENT OF \$30,000.00 TO MAIN STREET MEDINA FOR THE CITY'S 2015 MEMBERSHIP RENEWAL.

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

SEC. 1: That the Director of Finance is hereby authorized and directed to pay Main Street Medina \$30,000.00 for the city's 2015 membership renewal.

SEC. 2: That the funds to cover this expenditure are available in Account No. 001-0707-52215.

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



ORD 178-14 Exh. A

MAIN STREET MEDINA

5 Public Square Medina, Ohio 44256 Phone: 330-952-0910
info@mainstreetmedina.com www.MainStreetMedina.com

2015 Membership Invoice

Date:

October 7, 2014

To:

Mayor Dennis Hanwell
City of Medina
132 N. Elmwood
Medina, OH 44256

Thank you for your membership investment in Main Street Medina. Without your financial support, we would not be able to continue to preserve, promote and build the downtown historic district – the heart of the Medina community.

Description	For Calendar Year	Amount
Membership investment with Main Street Medina	2015	\$ 30000
	2015 Membership investment	\$30000

Please remit to:
Main Street Medina
5 Public Square
Medina, OH 44256

Main Street Medina is a non-profit, 501 (c)(3) organization. 100% of your membership is tax-deductible as a charitable donation.

Please keep this receipt for your tax records.

ORDINANCE NO. 179-14

**AN ORDINANCE AMENDING SECTION 133.01 OF THE
CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO
RELATIVE TO ASSOCIATION MEMBERSHIPS.**

WHEREAS: Section 133.01 of the codified ordinances of the City of Medina, Ohio presently reads in part as follows:

- City The Ohio Municipal League
- Medina County Economic Development Corporation
- National League of Cities
- Medina County Municipal Association
- Ohio Conference of Community Development, Inc.
- Wadsworth Chamber of Commerce
- Institute for Sustainable Infrastructure
- Community University Purchasing Association (CUE)
- MEC (Metropolitan Educational Council) Health & Wellness Alliance

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

SEC. 1: That Section 133.01 of the codified ordinances of the City of Medina, Ohio shall be amended in part as follows relative to Association Memberships:

- City The Ohio Municipal League
- Medina County Economic Development Corporation
- National League of Cities
- Medina County Municipal Association
- Ohio Conference of Community Development, Inc.
- Wadsworth Chamber of Commerce
- Institute for Sustainable Infrastructure
- Community University Purchasing Association (CUE)
- MEC (Metropolitan Educational Council) Health & Wellness Alliance
- Greater Medina Chamber of Commerce**

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.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

GREATER MEDINA CHAMBER OF COMMERCE
 145 NORTH COURT STREET
 MEDINA, OH 44256
 (330) 723-8773

ORD. 179-14

Membership Investment

Date	Invoice #
10/16/2014	9239-D

Member
City of Medina Mayor Dennis Hanwell Medina, OH 44256



Due Date
10/16/2014

Description	Amount
Greater Medina Area Chamber of Commerce New Member Dues	888.00
Thank you for supporting the Chamber of commerce. The Chamber provides representation, access, information, solutions and economic development.	
Dues to the chamber are not a charitable tax deduction for federal tax purposes. Ninety percent of your membership investment in the Chamber may be tax deductible as an ordinary & necessary business expense.	
One-time dues processing fee - waived	0.00

Total	\$888.00
Payments/Credits	\$0.00
Balance Due	\$888.00

ORDINANCE NO. 180-14

AN ORDINANCE ADOPTING THE PLANNING AND ZONING CODE FEE SCHEDULE FOR THE CITY OF MEDINA, OHIO.

WHEREAS: As part of the 2014 Zoning Code Update, it was suggested by the code consultant that the Fee Schedule be removed from the Codified Ordinances and be adopted as a separate Ordinance by Medina City Council to enable future revisions to be made on a more timely basis; and

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

SEC. 1: That the Planning and Zoning Code Fee Schedule for the City of Medina, Ohio is hereby adopted.

SEC. 2: That a copy of the Planning and Zoning Code Fee Schedule is marked Exhibit A, attached hereto and incorporated herein.

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: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

Effective date – December 10, 2014



ORD. 180-14
EXH. A

CITY of MEDINA

Community Development Department

Ph(330) 722-9023 Fax (330) 350-1011

Planning & Zoning Code Fee Schedule

Development Review Boards		
Type	Base Fee	Additional Fee
Site Plan Review		
Non-Residential	\$200	\$25 per acre
Residential	\$200	\$5/DU
Conditional Zoning Certificate	\$300	
Sign, conditional	\$50	
Amendment, Map or text	\$200	
Certificate of Appropriateness, HPB and TCOV		
Residential	\$25	
Non-Residential	\$50	
Variance	\$200	
Wireless Facility		
Tower	\$500	
Antenna/Co-location	\$250	
Annual Inspection	\$50	
Special Meeting		
Historic Preservation Board	\$200	
Board of Zoning Appeals	\$300	
Planning Commission	\$400	
City Council	\$500	
Subdivision		
Minor	\$150	\$15/lot
Major, Preliminary Plan	\$350	\$35/lot
Major, Final Plat	\$250	\$25/lot
Major, Replat	\$150	\$15/lot
Road Dedication, Preliminary	\$300	\$1.00/LF
Road Dedication, Final	\$150	\$0.50/LF

Additional Deposit: Please see section 1108.02 of the Planning and Zoning Code. Additional study needed for applications shall be paid for by the applicant. These may include: traffic studies, environmental impact studies, and similar services/expenses.

Zoning Certificate Fee (in additional to all other applicable fees)

Fence	
Residential	\$25
Non-Residential	\$50
Alteration/Replacement	\$25
Residential	
New Construction	\$250
Addition	\$50
Alteration	\$50
Accessory Building/Use	\$25
Driveway Expansion	\$25
Swimming Pool, in ground	\$25
Swimming Pool, above ground	N/A (Building fees apply)
Non Residential	
New construction	\$500
Addition	\$100
Alteration	\$100
Accessory Building/Use	\$50
Change of Use	\$25
Sign (not requiring board review)	
Sign, new or alteration	\$25
No Cost Certificate/Registration	
Homes Based Business	\$0
Temporary Sign	\$0
Residential Farm Animals	\$0
Publications	
Comprehensive Plan	\$35
Planning and Zoning Code	\$25

Note: All fees above are to be charged per submittal, and each submittal requires payment of a separate fee. If one application requires more than one permit or approval, all applicable fees shall be charged. At the Planning Director's discretion, some or all fees may be waived provided the Board of Control has reviewed and approved the waiver. The amounts of any additional deposits required shall be determined by the Planning Director, in accordance with a policy established and amended from time to time by resolution from Council.

DU – Dwelling unit

Lot – proposed lot

SF – square foot of proposed building

Acre – impacted acre or fraction thereof

LF – linear foot of proposed roadway

Additionally, please see Section 1108 of the Planning and Zoning code for additional information on additional fees and escrow accounts.

ORDINANCE NO. 181-14**AN ORDINANCE ACCEPTING THE APPRAISALS (FAIR MARKET VALUE ESTIMATES) FOR THE WEST SMITH RECONSTRUCTION PROJECT, AND DECLARING AN EMERGENCY.**

WHEREAS: In order to complete construction of West Smith Road between the Wheeling and Lake Erie railroad tracks and State Road, the City must acquire several easements; and

WHEREAS: In accordance with ODOT guidelines, the City has engaged O.R. Colan to acquire the right-of-ways and Fair Market Value Estimates; and

WHEREAS: A total of 5 easements must be acquired from two different property owners; 3 of these are temporary easements, 2 are permanent easements.

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

SEC. 1: That the City of Medina hereby authorizes the appraisals of O.R. Colan and accepts the Fair Market Value (FMVE) for the following parcels as follows:

<u>Property #</u>	<u>Owner Name</u>	<u>Acquisition</u>	<u>FMVE</u>
9	Gowe Leasing Limited	1-temp/1-perm easement	\$ 950.00
13	Post/Coleman Family Ltd. Partnership	2-temp/1-perm easements	<u>\$9,400.00</u>
		TOTAL	\$10,350.00

SEC. 2: That a copy of the appraisals are marked Exhibit A, attached hereto, and incorporated herein.

SEC. 3: That the funds to cover these appraisals are available in Account 106-0610-54410.

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 expedite the sometimes lengthy process; 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

VALUE ANALYSIS (\$10,000 OR LESS)

OWNER'S NAME
 Gowe Leasing Limited

COUNTY MED
ROUTE West Smith Road
SECTION N/A
PID# 81334

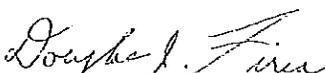
Federal Project # E060 (657)

Based on comparable sales, which are attached, the following compensation has been established.
 Temporary taking(s) have been based on a 18 month period.

Parcel #	Net Take Area	Land	Improvement	Remarks	Total
9-WDV	0.0036 acres (157 SF)	@ \$35,000/Ac. = \$126		Rounded to	\$125
9-WDV			100 SF of mulch beds @ \$0.75/SF = \$75		\$75
9-WDV			57 SF of grass @ \$0.35/SF = \$19.95	Rounded to	\$25
9-WDV			1 small tree @ \$150/tree		\$150
9-WDV			6 small bushes @ \$25/bush = \$150	Rounded to	\$150
9-TV2	0.0782 acres (3,406 SF)	@ \$35,000/Ac. x 10% x 1.5 years = \$411		Rounded to	\$425
					\$950

Conflict of Interest Certification [49CFR 24.102(n) and OAC 5501: 2-5-06(B)(3)(a)]

1. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
2. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this compensation recommendation.
3. I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of such property valued, and no personal interest with respect to the parties involved.
4. In recommending the compensation for the property, I have disregarded any decrease or increase in the fair market value of the real property that occurred prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner.
5. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

	10/14/2014		10/17/14
SIGNATURE OF PERSON PREPARING ANALYSIS	DATE	REVIEWER'S CONCURRENCE	DATE
TYPED NAME: Douglas J. Firca		TYPED NAME: Dean T. Smith, MAI	
NAME OF AGENCY (IF DIFFERENT FROM ODOT)			
City of Medina			
TITLE: City Engineer MAYOR		AGENCY SIGNATURE ESTABLISHING FMVE	
		DATE	
		TYPED NAME: Rat Patton, P.E. DENNIS HANWICK MAYOR	
ADMINISTRATIVE SETTLEMENT:			
SIGNATURE		F.M.V.E. AMOUNT	
DATE		ADDITIONAL AMOUNT	
TYPED NAME:		TOTAL SETTLEMENT	

(SEE FOLLOWING PAGES FOR ADDITIONAL DOCUMENTATION)

Value Analysis (continued)

Identify the Larger Parcel: Considering unity of title, unity of use and contiguity, the subject larger parcel consists of one tract of land, identified as auditors parcel number 029-19A-20-011 consisting of 1.1552 gross and net acres (50,321 SF) with no portion of the parcel located in the existing P.R.O. While the two parcels to the west have similar ownership, each parcel is improved with a light industrial building, has separate access, have established access easements and can support their own highest and best uses, they are considered separate larger parcels and are not included in this report. Only parcel 029-19A-20-011 is included in this report and is considered the larger parcel for purposes of this report. The subject is located at 711-717 W. Smith Road, Medina, Ohio and is located on the northwest corner of W. Smith and State Roads. The subject has two driveways located on the north side of W. Smith Road and along the west side of State Road respectively. The site is predominantly rectangular in shape, is improved with a multi-tenant light industrial building and off-street parking is available on the south side of the building along W. Smith Road. The north side of the building is improved with multiple overhead doors and requires most of the area for maneuverability of larger vehicles associated with industrial buildings and therefore, provides limited off-street parking. The property is owned by Gowe Leasing Limited, which was purchased with parcels 029-19A-20-012 and 029-19A-20-013 on September 12, 2012 for \$1,000,000 combined. The appraiser has not been informed of any current listing as of the effective date of this report.

Zoning Code: I-1, Industrial District

Coding Definition: The purpose of the I-1 District is to provide for and accommodate industrial uses in the fields of repair, storage, manufacturing, processing, wholesaling and distribution, free from the encroachment of residential, retail and institutional uses. The uses allowed are those which because of their normally unobjectionable characteristics, can be in relatively close proximity to residential and commercial districts.

Minimum Site Size:

	I-1, Industrial District
Minimum Site Size	1/2 Ac.
Minimum Lot Frontage	100 feet
Minimum Lot Width at building line	100 feet
Minimum Front Yard Setback/Depth	50 feet
Minimum Side Yard Setback (each side)	25 feet
Minimum Rear Yard	25 feet
Maximum Building Height	50 feet
Parking	Contingent on use

Utilities: All public utilities are available to the subject property.

Highest and Best Use: As vacant the highest and best use for the subject is for industrial purposes. The existing improvements appear to be legally nonconforming as side setbacks do not meet the minimum zoning requirements. Because the building improvements are not impacted by the project, no further discussion of the improvements is warranted.

Valuation/Analysis of Sales:

Sale Number:	2	4	31	32
Address	360 Ryan Rd.	Johnston Pkwy.	Abbe Rd.	York Rd.
Location:	Seville	Garfield Heights	Sheffield Lake	North Royalton
Sale Date:	2/1/2010	9/30/2011	6/13/2013	6/28/2013
Sale Price:	\$25,000	\$65,000	\$54,000	\$185,000
Area:	1.1348 Ac. 49,432 SF	1.8844 Ac. 82,084 SF	1.58 Ac. 68,825 SF	3.9317 Ac. 171,265 SF
Unit Value:	\$22,030/Ac. \$0.51/SF	\$34,494/Ac. \$0.79/SF	\$34,177/Ac. \$0.78/SF	\$47,053/Ac. \$1.08/SF

<p>Discussion:</p>	<p>Land valuation is based on the attached comparable sales. Medina County predominantly consists of single-family residential uses with limited number of areas used for industrial purposes; therefore, the geographic search for comparable sales has been expanded to other counties with similar industrial areas and market appeal.</p> <p>The sales have average and median unit values of \$34,439 and \$34,336 per acre respectively and all sales are given equal consideration.</p>
<p>Reconciliation:</p>	<p>Based on the comparable sales, a reconciled unit value of \$35,000 per acre is reasonably supported by the comparable sales.</p> <p>The FMVE stated in this report is the estimated value of the part acquired based on a unit value of the whole property plus the contributory value of the improvements located within the take area and any cost to cure if applicable.</p>
<p>Analysis Of Site Improvements (support for contributory value):</p>	<p>Non-encroaching site improvements impacted by the proposed project include:</p> <ul style="list-style-type: none"> • 100 SF of mulch @ \$0.75/SF • 57 SF of grass @ \$0.35/SF • 1 small tree @ \$150/tree • 6 small bushes @ \$25/bush <p>The replacement costs of the site improvements have been provided by Marshall Valuation Service, Section 66, Pages 2 and 8. The sign located near the southeast corner of the site is not on a ground mounted post, is considered a temporary management sign, is considered personal property and is not included as a compensable item. By design, this is considered a temporary sign that the management company will be responsible for relocating outside of the take area.</p> <p>Any asphalt, concrete, gravel, and/or seeded lawn site improvements situated within the temporary construction easement area (if applicable) will be replaced in kind, as such; no compensation for these items is warranted. All site improvements situated within existing right-of-way are non-compensable in the State of Ohio; therefore, no compensation is warranted for these items.</p>



<p>Summarize the effect of the take on the residue property:</p>	<p>The purpose of the proposed project consists reconstructing approximately 2,300 feet of West Smith Road from the Wheeling and Lake Erie Railroad to just east of State Road and reconstructing 600 feet of state Road from West Smith Road to the north. Major work items include pavement replacement and widening, waterline replacement, storm sewer and box culvert replacement, and a new traffic signal at West Smith Road.</p> <p>There are two proposed acquisitions identified as Warranty Deed take 9-WDV and 9-TV2. Warranty Deed 9-WDV is triangular in shape and is located on the southeast corner of the site. The proposed take area consists of 0.0036 acres (157 SF), has widths of 33.51 and 15.18 feet along W. Smith and State Roads respectively and connects to both existing right-of-way lines. The permanent take area does not impact parking or access and has little impact on the site.</p> <p>Proposed Temporary Easement 9-TV2 consists of 0.0782 acres (3,406 SF), extends the entire width of the site and has a maximum depth of 18.61 feet along the western property line. The Temporary Easement will be acquired in the name of the City of Medina, Medina County, Ohio for drive construction and grading. This easement will encumber the specific area for no longer than 18 months in which compensation for this area is based on a ground lease at 10% per year. Upon completion of the project the owner will retain all rights to this area.</p> <p>The proposed project includes installing a rolled concrete curb across the frontage of W. Smith Road in which the existing parking spaces will continue to be accessible "After" the acquisition. Because the subject will continue to have similar access and off-street parking and functional utility after the project is complete, the subject is not expected to be adversely impacted as a result of the project.</p> <p>Once the proposed project is complete, the subject will consist of 1.1516 gross and net acres (50,164 SF) with no portion of the parcel located in the P.R.O. Because the subject will continue to have similar functional utility and highest and best use after the acquisition and the owner will retain 100% of ownership rights to the area in the Temporary Easement after the project is complete, it is the appraisers' opinion that the subject property as vacant or improved will not be adversely affected due to the easement(s) or nominal grade changes in the acquisition areas.</p>			
<p>Other Comments:</p>	<p>Are there Severance Damages?</p>	<p>YES</p>	<p>NO</p>	<p>X</p>
<p>The appraiser signing this report made all conclusions and analysis as to the estimation of value.</p>				



REVIEW APPRAISER'S
FAIR MARKET VALUE ESTIMATE

OWNER'S NAME

COUNTY MED

ROUTE W. Smith Road

SECTION _____

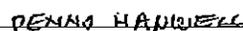
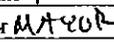
PARCEL NO. 13 WDV, TV, TV-1

PROJECT I.D. NO. 81334

Post/Coleman Family Limited Partnership

	PAR NO.	ITEMS INCLUDED IN THIS ESTIMATE			ORIGINAL	REVISION	REVISION
		NO.	KIND	AV.SIZE			
L A N D	13 WDV	0.0588 ac. industrial land @ \$35,000/ac., say:			\$2,100		
F E N C E							
T R E E S							
O T H E R	13 WDV	Asphalt paving - 1,265 s.f. @ \$1.80/s.f., say:			\$2,275		
	13 WDV	Gravel paving - 1,146 s.f. @ \$0.50/s.f., say:			\$575		
	13 WDV	Lawn area - 150 s.f. @ \$0.35/s.f., say:			\$50		
B L D G		None					
D A M A G E	13 WDV	Cost to cure damages for restoration of parking:			\$3,600		
	13 TV	Temporary easement - 0.0426 ac. x \$35,000/ac., @ 10% annual rate, 1.52 years, say:			\$225		
	13 TV-1	Temporary easement - 0.1056 ac. x \$35,000/ac., @ 10% annual rate, 1.52 years, say:			\$575		
E L		TOTAL FAIR MARKET VALUE FOR REQUIRED R/W			\$9,400		
		OFFER FOR REQUIRED R/W AND EXCESS LAND					
		ADDED COST TO ACQUIRE EXCESS LAND					
		VALUE	AREA				

We, the undersigned, hereby certify that this estimate contains no allowance for any item contrary to Ohio law and that the amount shown represents the fair market value of the right of way to be acquired.

Trainee's Recommendation	Date	Recommended	Date
			10/17/2014
Review Appraiser Typed Name	Review Appraiser Typed Name	Dean T. Smith, MAI	
Recommended	Date	Recommended	Date
2 nd Review Appraiser	Appraisal Unit Manager		
Agency Signature Establishing FMVE	Administrative Settlement / Case Settlement		
	Date	Date	
Typed Name & Title		Typed Name & Title	
Agency Name	City of Medina	Agency Name	

APPRAISAL AND REVIEW RECORD

TEE/STAFF	APPRAISER	VALUE OF TAKING	DATE APPR SIGNED	TOTAL TAKE	PARTIAL TAKE	TYPE REPORT	TYPE OF SPECIALISTS REPORT	
Fee	Douglas J. Firca	\$9,400	10/14/2014		X	R/W		
REVIEW APPRAISER	ORIGINAL		REVISION		REVISION		REVISION	
	AMOUNT	DATE	AMOUNT	DATE	AMOUNT	DATE	AMOUNT	DATE
Dean T. Smith, MAI	\$9,400	10/17/2014						

Reviewer's Reasoning for the Value Estimate:

The appraiser properly identified and described the property and larger parcel appraised. The appraisal was developed and prepared as a Right of Way Appraisal Report which utilized the Cost, Sales Comparison and Income Approaches to determine the values for the property as improved, before and after. This appraisal and appraisal report were compliant with current USPAP and ODOT policies and procedures. The appraisal appropriately addressed and supported the cost to cure relating to the diminution and replacement of on-site parking. With the adoption of this cost to cure, there are no remaining damages to the residue. The calculations made were mathematically correct and the value analyses and conclusions were reasonable and well supported, with thorough analyses and market data supporting the values for the part taken. The appraisal report is recommended as the basis of FMVE due the property owner.

With all real property owned in fee, Form RE 22-1 is not applicable.

Property appraised – Improved industrial property - 1.5912 acres net before; 1.5324 acres net after.

Total value land taken - \$2,100

Total value site improvements taken - \$2,900

Total value buildings taken - \$0

Cost to cure – \$3,600

Incurable damages – \$0

Temporary easements – \$800

Total FMVE - \$9,400

Taking – The property involves a fee taking for Parcel 13 WDV, plus two 18-mnth temporary easement takings for Parcels 13 TV & 13 TV-1.

ORDINANCE NO. 182-14

AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT AN EASEMENT AGREEMENT FOR THE WEST SMITH ROAD RECONSTRUCTION PROJECT (PARCEL #14), AND DECLARING AN EMERGENCY.

WHEREAS: Ordinance No. 111-14, passed June 23, 2014 authorized the Fair Market Value Estimates for the West Smith Road Reconstruction Project.

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

SEC. 1: That the Mayor is hereby authorized to accept the Easement Agreement for the West Smith Road Reconstruction Project (Parcel #14).

SEC. 2: That a copy of the Easement Agreement is marked Exhibit A, attached hereto, and incorporated herein.

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 to finalize and submit payment to the property owner; 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: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

ORD. 182-14
Exh. A



O. R. Colan ASSOCIATES

REAL ESTATE SOLUTIONS FOR INFRASTRUCTURE

October 17, 2014

Patrick Patton, P.E.
City Engineer
City of Medina
132 N. Elmwood Avenue
Medina, Ohio 44256

Re: **MED-West Smith Road**
PID No.: 81334
Parcel No. 14-TV (A. I. Root)

Dear Mr. Patton:

Enclosed so that the City may start the process for payment in regard to the above referenced parcel is the following:

- Signed Temporary Easement (Copy)
- Corporate Resolution (Copy)
- W-9 (original)

Please review the enclosed documentation and process a check in the amount of **\$300.00** payable to "**The A. I. Root Company**". Once the check has been processed, please forward it to our office in order for us to complete the closing on the parcel.

If you have any questions or need additional information, please do not hesitate to contact me at 440.827.6116 ext. 204.

Respectfully,

A handwritten signature in black ink that reads "Matthew Starling".

Matthew Starling
Project Manager

Enclosures

TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT: The A. I. Root Company, an Ohio Corporation, the Grantor(s) herein, in consideration of the sum of \$300.00, to be paid by the City of Medina, the Grantee herein, does hereby grant, bargain, sell, convey and release to said Grantee, its successors and assigns, a temporary easement to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 14 TV
MED-West Smith Road (PID 81334)

SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF
Medina County Current Tax Parcel No. 028-19A-20-091
Prior Instrument Reference: Warranty Deed Volume 162, Page 449, Medina County Recorder's Office.

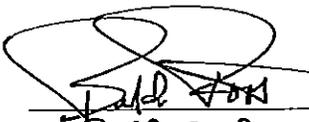
To have and to hold said temporary easement, for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement herein granted to the Grantee is 18 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement interest granted herein is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

IN WITNESS WHEREOF The A. I. Root Company, an Ohio Corporation has caused its name to be subscribed by BRAD I. ROOT, its duly authorized PRESIDENT, and it duly authorized agent on the 27TH day of AUGUST, 2014.

THE A. I. ROOT COMPANY, AN OHIO CORPORATION

By: 
BRAD I. ROOT
PRESIDENT

STATE OF OHIO, COUNTY OF MEDINA ss:

BE IT REMEMBERED, that on the 27 day of August, 2014, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Brad Root, who acknowledged being the President and duly authorized agent of The A. I. Root Company, an Ohio Corporation, and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



TERESA L. HAVILAND
My Commission Expires
Dec. 26, 2017
(Recorded in Medina County)



NOTARY PUBLIC
My Commission expires: 12/26/2017

This document was prepared by: the City of Medina

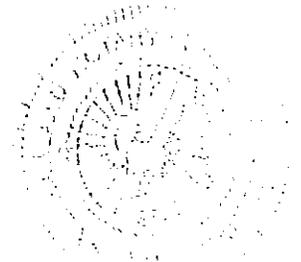


EXHIBIT A

Page 1 of 2

RX 287 TV

Rev. 06/09

Ver. Date 12/17/2012

PID 81334

JEN
**PARCEL 14-TV
WEST SMITH ROAD
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONSTRUCT THE EXISTING GRADING
FOR 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF MEDINA, MEDINA COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Medina, City of Medina, and known as being part of Out Lot No. 15 and being a 5.3867 acre parcel conveyed on February 08, 1946 to The A.I. Root Company by Deed Volume 162 Page 449 of the Medina County Records and being a parcel of land lying on the left side of the centerline of right of way of West Smith Road, width 60.00 feet, and bounded and described as follows:

BEGINNING from the intersection of the centerline of right of way of West Smith Road, at Station 64+97.29, and the centerline of right of way of State Road, at Station 00+00.00; thence North 89 degrees 00 minutes 43 seconds East along the centerline of right of way of West Smith Road a distance of 202.28 feet; thence North 00 degrees 48 minutes 13 seconds West a distance of 30.00 feet to the intersection of the existing northerly right of way line and of West Smith Road and westerly property line and being the **TRUE POINT OF BEGINNING**.

1. thence North 00 degrees 14 minutes 44 seconds West along said grantor's line a distance of 5.00 feet to a point;
2. thence North 89 degrees 00 minutes 43 seconds East a distance of 298.²³~~24~~ feet to a point;
3. thence South 00 degrees 07 minutes 26 seconds East a distance of 5.00 feet to a point and the existing northerly right of way line of West Smith Road;
4. thence South 89 minutes 00 minutes 43 seconds West along said right of way line a distance of 298.23 feet to a point and the **TRUE POINT OF BEGINNING**.

The above described area is contained within Medina County Auditor's Permanent Parcel Number 028-19A-20-091 and contains a gross take of 0.0342 acres more or less.

All Bearings are relative to Grid North based on the Ohio State Plane Coordinate System, North Zone on NAD 83, (CORS96).

This description was prepared by Kenneth Fertal, Professional Surveyor Number 8262 of HNTB Ohio, Inc., on December 17, 2012.

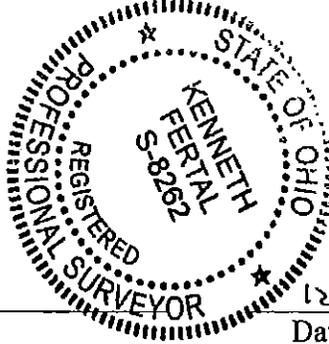
EXHIBIT A

RX 287 TV

Page 2 of 2

Rev. 06/09

This description is based on a survey made in 2011 by Campbell and Associates, Inc. under the direction and supervision of James P. Yurkschatt, Professional Land Surveyor Number 7809.



A handwritten signature in black ink, appearing to read "KF", written over a horizontal line.

Kenneth Fertal
Professional Surveyor #8262
HNTB Ohio, Inc.
1100 Superior Avenue, Suite 1310
Cleveland, OH 44114

12/17/2012
Date



THE BEST CANDLE IN AMERICA
SINCE 1869

RESOLUTION OF
The A. I. Root Company, an Ohio Corporation

WHEREAS, the City of Medina desires an exclusive and temporary construction easement for 18 months for highway purposes on land owned by this Corporation, and more particularly described as follows:

PARCEL 14-TV
MED-West Smith Road (PID 81334)
SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

WHEREAS, the City of Medina has offered the sum of \$300.00 for the exclusive and temporary construction easement for 18 months of Parcel 14-TV whereby ownership remains with The A. I. Root Company.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of The A. I. Root Company, an Ohio Corporation that Brad I. Root shall be, and hereby is, the duly authorized, empowered and acting agent of The A. I. Root Company, an Ohio Corporation for the for the purpose of executing and delivering to the City of Medina all necessary instruments to effect a good and sufficient conveyance of said exclusive and temporary construction easement for 18 months from The A. I. Root Company, an Ohio Corporation in the City of Medina, for the hereinabove mentioned consideration.

Brad I. Root, President

I, Stuart W. Root, Secretary of The A.I. Root Company, an Ohio Corporation, hereby certify that on September, 17th, 2014, there was held a meeting of the Board of Directors of said corporation, at which a quorum was present; that this is a true and correct copy of a resolution adopted at said meeting, and that this resolution is in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto subscribed my signature on September 17th, 2014.

Stuart W. Root, Secretary

EXHIBIT A

RX 287 TV

Page 1 of 2

Rev. 06/09

Ver. Date 12/17/2012

PID 81334

jea
**PARCEL 14-TV
WEST SMITH ROAD
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONSTRUCT THE EXISTING GRADING
FOR 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF MEDINA, MEDINA COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Medina, City of Medina, and known as being part of Out Lot No. 15 and being a 5.3867 acre parcel conveyed on February 08, 1946 to The A.I. Root Company by Deed Volume 162 Page 449 of the Medina County Records and being a parcel of land lying on the left side of the centerline of right of way of West Smith Road, width 60.00 feet, and bounded and described as follows:

BEGINNING from the intersection of the centerline of right of way of West Smith Road, at Station 64+97.29, and the centerline of right of way of State Road, at Station 00+00.00; thence North 89 degrees 00 minutes 43 seconds East along the centerline of right of way of West Smith Road a distance of 202.28 feet; thence North 00 degrees 48 minutes 13 seconds West a distance of 30.00 feet to the intersection of the existing northerly right of way line and of West Smith Road and westerly property line and being the **TRUE POINT OF BEGINNING**.

1. thence North 00 degrees 14 minutes 44 seconds West along said grantor's line a distance of 5.00 feet to a point;
2. thence North 89 degrees 00 minutes 43 seconds East a distance of 298.²³~~24~~ feet to a point;
3. thence South 00 degrees 07 minutes 26 seconds East a distance of 5.00 feet to a point and the existing northerly right of way line of West Smith Road;
4. thence South 89 minutes 00 minutes 43 seconds West along said right of way line a distance of 298.23 feet to a point and the **TRUE POINT OF BEGINNING**.

The above described area is contained within Medina County Auditor's Permanent Parcel Number 028-19A-20-091 and contains a gross take of 0.0342 acres more or less.

All Bearings are relative to Grid North based on the Ohio State Plane Coordinate System, North Zone on NAD 83, (CORS96).

This description was prepared by Kenneth Fertal, Professional Surveyor Number 8262 of HNTB Ohio, Inc., on December 17, 2012.

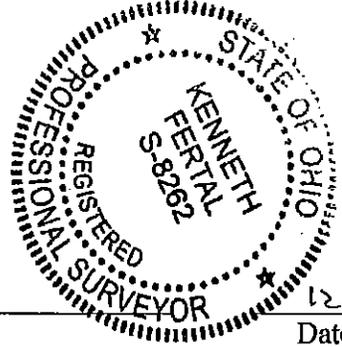
EXHIBIT A

Page 2 of 2

RX 287 TV

Rev. 06/09

This description is based on a survey made in 2011 by Campbell and Associates, Inc. under the direction and supervision of James P. Yurkschatt, Professional Land Surveyor Number 7809.



A handwritten signature in black ink, appearing to read "KF", written over a horizontal line.

12/17/2012
Date

Kenneth Fertal
Professional Surveyor #8262
HNTB Ohio, Inc.
1100 Superior Avenue, Suite 1310
Cleveland, OH 44114

ORDINANCE NO. 183-14

AN ORDINANCE TO ADOPT, ADMINISTER, AND ENFORCE A NEW CHAPTER 1345 OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO RELATIVE TO THE 2011 OHIO PLUMBING CODE, AND DECLARING AN EMERGENCY.

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

SEC. 1: That Chapter 1345 of the codified ordinances of the City of Medina, Ohio is hereby adopted to read as follows:

CHAPTER 1345
2011 Ohio Plumbing Code

1345.01	Adopt, Administer, Enforce.	1345.99	Penalty.
1345.02	Saving Clause.		

CROSS REFERENCES

Inspections – see BLDG. Ch. 1305
Registration of Plumbing Contractors – see BLDG. Ch. 1309
Permits and fees – see BLDG. Ch. 1311

1345.01 ADOPT, ADMINISTER, ENFORCE.

That certain documents, three copies of which are on file in the office of the Building Official of the City, being marked and designated as “2011 Ohio Plumbing Code” as published by the International Code Council, is hereby adopted as the 2011 Ohio Plumbing Code of the City of Medina, for the control of buildings and classes of buildings specified in Section 3781.06 of the Ohio Revised Code as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Ohio Plumbing Code are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter.

1345.02 SAVING CLAUSE.

Nothing in this chapter or in the Ohio Plumbing hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this chapter.

1345.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than one thousand dollars (\$1,000.00) or shall be imprisoned for not more than three (3) months, or both. Each day or partial day’s violation shall constitute a separate offense.

SEC. 2: That this 2011 Ohio Plumbing Code, for the City of Medina is hereby effective November 11, 2014.

SEC. 3: 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 for transition to this new code section be completed by the first of the year; 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: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

ORDINANCE NO. 184-14

**AN ORDINANCE AMENDING CHAPTER 1311 OF THE
CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO
RELATIVE TO THE ADOPTION OF A NEW SECTION
1311.044, PLUMBING PERMIT FEES, AND DECLARING AN
EMERGENCY.**

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

SEC. 1: That Chapter 1311 of the codified ordinances of the City of Medina, Ohio shall be amended with the addition of a new Section 1311.044, Plumbing Permit Fees, which shall read as follows:

PLUMBING FEE SCHEDULE

Minimum Fee	\$50.00
Residential Base Fee (includes 10 fixtures)	\$150.00
Commercial Base Fee (includes 10 fixtures)	\$300.00
Residential – each additional fixture	\$5.00
Commercial – each additional fixture	\$10.00
Water Service or Re-Piping	\$50.00
Building Drain Line Repair	\$50.00
Water Heater Replacement	\$50.00
Re-Inspection Fee	\$50.00
Residential – one, two and three-family New construction, additional and renovations	plus ten cents (10c) per square foot per unit
Commercial, Industrial and multi-family Four units and up New construction, additions and renovations	plus fifteen cents (15c) per square foot per unit
Plans Examination Fee	\$90.00 per hour or portion of an hour

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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason for transition to the new system to be completed by the first of the year; 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: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

ORDINANCE NO. 185-14

**AN ORDINANCE AMENDING ORDINANCE NO. 208-13,
PASSED DECEMBER 9, 2013. (Amendments to 2014 Budget)**

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

SEC. 1: That Ordinance No. 208-13, passed December 9, 2013, shall be amended by the following additions:

<u>Account No./Line Item</u>	<u>Additions</u>
104-0309-53315 (Parks)	220.00 *

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: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor