

**CITY OF MEDINA
AGENDA FOR COUNCIL MEETING**

January 12, 2015
Medina City Hall
7:30 p.m.

Call to Order.

Roll Call.

Reading of minutes. (Dec. 8, 2014, Dec. 30, 2014, and Jan. 5, 2015)

Reports of standing committees.

Requests for council action.

Reports of municipal officers.

Council approval of appointments.

ACCESS Commission: Tracy Givelekian (School Rep.), exp. 12/31/17
Tom Cahalan (School Rep.), exp. 12/31/17
Heather Taylor (Chamber Rep.), exp. 12/31/17

Mayor's appointments.

See Exhibit A

Notices, communications and petitions.

Unfinished business.

Introduction of visitors.
(speakers limited to 5 min.)

Introduction and consideration of ordinances and resolutions.

Res. 1-15

A Resolution naming the park land located at 406 South Broadway the "Sophia Victoria Trailhead".

Ord. 2-14

An Ordinance authorizing the Mayor to enter into an agreement between the City of Medina, Ohio and the Medina County Fair Housing Office for Professional Services required to implement a Fair Housing Services Program for the PY14 Community Housing Improvement Grant (CHIP).

Ord. 3-15

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

Res. 4-15

A Resolution requesting the County Auditor to make tax advances during the year 2015 pursuant to Ohio Revised Code Section 321.34.

Ord. 5-15

An Ordinance establishing three (3) new Special Revenue Funds in accordance with Section 5705.09 of the Ohio Revised Code.

Ord. 6-15

An Ordinance amending Ordinance No. 200-14, passed December 8, 2014.
(Amendments to 2015 Budget)

Council comments.

Adjournment.

Opening:

Medina City Council met in regular, open session on Monday, December 8th, 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. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

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 November 24th, 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 B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated the Finance Committee met prior to Council this evening and we will not meet again until next year.

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

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb had no report.

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

Water & Utilities Committee: Mr. Kolesar made public announcement that water bill will have a 3% increase going into effect January 2015. Avon Lake could possibly ask for an additional 3% midyear 2015.

Requests for Council Action:

Finance Committee

- 14-248-12/8 – Budget Amendments
- 14-249-12/8 – Increase P.O. – NuCO2 – MCRC
- 14-250-12/8 – Naming 406 S. Broadway Property – Parks
- 14-251-12/8 – R-O-W Purchase Agreement, 750 W. Smith
- 14-252-12/8 – PY14 Fair Housing Agreement
- 14-253-12/8 – Fair Market Value Estimates – W. Smith Reconstruction
- 14-254-12/8 – Discussion – Masonic Temple Building
- 14-255-12/8 – Advance - Airport

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported the following:

- 1) Brass Band of Western Reserve- Will hold concert at the Performing Arts Center, Saturday December 13, 2014 at 7 p.m. Charge of \$10. Tickets available at PAC or by going to website www.bbwesternreserve.org
- 2) Medina Community Band- Will hold their winter concert at the Performing Arts Center, Sunday December 14, 2014, at 2 p.m. Free concert, no tickets required. Concert of holiday music and last about 60 minutes. Fortunate to have a band to perform without charge for our community.
- 3) Landlord/Renter info- New tab on city website under residents, then Landlord/Tenant info. There are several links with scanned brochures from Medina County Housing Office. These topics include Landlord/Tenant Rights and Responsibilities; Housing and Disabilities; Repairs to Rentals; Fair Housing and you. Councilman at Large Bill Lamb and I will also be doing a show on Cable TV, channel 37, 12/16 to go over this information as well. It will likely be prepared to air later this month.
- 4) Mayoral Proclamation to Gary Rumley for 28 years of service with city.
- 5) Mayoral Proclamation to Murray and Sue Van Epp.
- 6) Last Council meeting for 2015- Happy and Safe Holidays to all!

Keith Dirham, Finance Director, reported the following: There are a couple things on the agenda that I will address when we get there. He congratulated Mr. Gary Rumley on his 28 years of service and thanked the Van Epp family for their generous donation to the City of Medina and wished everyone a happy and safe Holiday.

Greg Huber, Law Director, had no report.

Chief Berarducci, Police Chief, had no report but wished everyone a Merry Christmas.

Jonathon Mendel, Community Development Director, stated on Friday, December 12th there will be four ribbon cuttings starting with Tokyo Ink. Restaurant, at 1132 N. Court St. at 10 a.m., then at 1 p.m. Molly's Closet 140 West Washington, then at 2 p.m. 47 S. Public Square Something's Popping and 5 p.m. H2 Wine Bar at 221 S. Court St. Thursday at 5 p.m. BOC, Historic Preservation Board, Board of zoning and appeals and Planning Commission in the multipurpose room.

Chief Painter, Fire Chief, thanked the local 3M Company for their generous donation of \$7,500 to the Fire Department. Through an internal grant process with 3M our local plant applied for and received a grant to make improvements within our local community. They saw fit to work with the Fire Department and used it for a purchase of a propane fire extinguisher training.

Mike Wright, Recreation Center Director, reported the following:

The Rec's new Winter Program Brochure will be available online by Tuesday, December 9th at www.MedinaRec.org and will be delivered in the Post Newspapers on Sat, December 13th. Lastly, our next scheduled Rec. Advisory Board meeting will be Thursday, December 18th, at the Rec. Center at 7:30 a.m. Congratulations to Gary Rumley, he was a pleasure to work with.

Jansen Wehrley, Parks and Recreation Director, reported the following: The fall tree planting project is complete. 239 trees were installed. The Parks Department has begun construction of the Sam Masi Trail connector to Champion Creek Multi-Purpose Trail. We will be installing the base this winter in preparation for paving the trail connector to Sam Masi in the spring. The entrance to the Khun and Todd conservation area was completed last week and a sign should be installed by the 1st of the year. Jansen extended a thank you to the Van Epp family for their donation to the fountain project. Congratulations to Gary Rumley.

Dan Gladish, Building Official, reported the following: The month of December is off to a very busy start for the Building Department for both permits and property maintenance.

Patrick Patton, City Engineer, reported the following: The Wadsworth Waterline Project will begin the second week in December and should take about a month to complete, restoration of lawn and sidewalk will be completed in the spring. We have notified all the residents in the construction zone. It will be about a 6 week long project and will maintain 2 way traffic throughout. Pat stated Gary Rumley was a pleasure to work with over the years.

Nino Picolli, Service Director, reported the following:
He extended best wishes to Gary Rumley. They are continuing to pick up the leaves as long as the weather permits. Check the website for updates and the Leaf Hotline at 330-725-5323.

Mayoral Appointments:

MCDAC Board – Robert Starcher – Expiring 12-31-15
Mr. Shields moved to approve the Mayoral appointment, seconded by Mr. Simpson. The roll was called and passed by the yeas votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Notices, Communications and Petitions:

Liquor Permit:

Mr. Shields moved not to object to the issuance of a new D-2 permit to Fred W. Albrecht Grocery Company, DBA ACME Fresh Market, NW corner of High Point Drive and SR 3, seconded by Mr. Simpson. The roll was called and passed by the yeas votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

Liquor Permit:

Mr. Shields moved not to object to the issuance of a new D-5 permit to Mark Klaus LLC, dba Castle Noel, 245-260 S. Court Street., seconded by Mr. Simpson. The roll was called and passed by the yeas votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Unfinished Business:

There was none.

Introduction of Visitors:

There were none.

Introduction and Consideration of Ordinances and Resolutions:

Res. 198-14:

A Resolution commending Murray and Sue Van Epp for their donation to fund a new fountain in the Bicentennial Commons. Mr. Shields moved for the adoption of Ordinance/Resolution No. 198-14, seconded by Mr. Simpson. Mr. Kolesar thanked the Van Epp family stating this is a crucial part of the Bicentennial Park and carries on the Van Epp family legacy of helping this community. Mr. Simpson stated generations to come will enjoy this fountain and thanked the family. Mr. Shields thanked them for the donation to the Fire House station floor. The roll was called and Ordinance/Resolution No. 198-14 passed by the yeas votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Res. 199-14:

A Resolution commending Gary Rumley for his dedication years of service to the City of Medina. Mr. Shields moved for the adoption of Ordinance/Resolution No. 199-14, seconded by Mr. Simpson. Mr. Kolesar thanked Gary for his services in Ward 3 and with the city. Mr. Simpson also thanked Gary. The roll was called and Ordinance/Resolution No. 199-14 passed by the yeas votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Ord. 200-14:

An Ordinance to make appropriations for current expenses and other expenditures of the City of Medina, Ohio for the fiscal year ending December 31, 2015. Mr. Shields moved for the adoption of Ordinance/Resolution No. 200-14, seconded by Mr. Simpson. Mr. Dirham stated this is our budget for 2015, we started working on this back in February and in another few weeks we will start working on 2016. Mr. Coyne stated some issues have occurred with the State of Ohio limiting some state funds that come to the local municipalities and has impacted us about a million dollars a year in the General Fund. The roll was called and Ordinance/Resolution No. 200-14 passed by the yeas votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Res. 201-14:

A Resolution adopting a five-year budget for the City of Medina, Ohio for the period beginning January 1, 2015 through December 31, 2019. Mr. Shields moved for the adoption of Ordinance/Resolution No. 201-14, seconded by Mr. Simpson. Mr. Dirham stated this is the second part of the budget process, what we are adopting here is the five year budget that we do here at the City of Medina that is not required by state law, we do this to help us plan. The roll was called and Ordinance/Resolution No. 201-14 passed by the yeas votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 202-14:

An Ordinance Amending Ordinance No. 164-14, passed October 14, 2014, pertaining to the expenditure to Zashin and Rich Co., LPA for the Law Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 202-14, seconded by Mr. Simpson. Mr. Huber stated this request increases the amount on the PO for Zashin and Rich Law firm from \$33,000 to \$40,000 this year due to the City of Medina negotiations on the union contracts with the Police Patrol Union, the Police Sargent's Union, the Police Dispatcher's Union and Teamsters. The increase has to do with his concluding the negotiations with Teamsters. The roll was called and Ordinance/Resolution No. 202-14 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 203-14:

An Ordinance Authorizing the expenditure of \$57,902.56 to the Medina County Commissioners for the reimbursement to the Bond Reserve Fund for the Medina County Port Authority Fiber Network. Mr. Shields moved for the adoption of Ordinance/Resolution No. 203-14, seconded by Mr. Simpson. Mr. Dirham explained back in 2010 we agreed to help support this project and this is a payment due. The roll was called and Ordinance/Resolution No. 203-14 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

Ord. 204-14:

An Ordinance Authorizing the purchase of three (3) 2015 Ford Utility Police Interceptors from Statewide Ford for the Police Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 204-14, seconded by Mr. Simpson. Chief Berarducci stated these three new vehicles are replacements in 2015, we are accelerating the purchase to use 2014 funds. The roll was called and Ordinance/Resolution No. 204-14 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Ord. 205-14:

An Ordinance Repealing Sections 1371.04 and 1371.05 of Chapter 13 of the Building Code of the codified ordinances of the City of Medina, Ohio. Mr. Shields moved for the adoption of Ordinance/Resolution No. 205-14, seconded by Mr. Simpson. Mr. Mendel stated this is to remove duplicative fence code regulation sections out of the Building Code. The roll was called and Ordinance/Resolution No. 205-14 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Res. 206-14:

A Resolution authorizing the Mayor to enter into agreements with the Medina County Commissioners and the Medina County Public Defender Commission so as to provide legal counsel to indigent persons charged with a violation of the City's ordinances. Mr. Shields moved for the adoption of Ordinance/Resolution No. 206-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 206-14, seconded by Mr. Simpson. Mr. Huber explained every year the city is required to enter into an agreement with the Public Defenders' Office and the agreement needs to be in place by Jan. 1st and that is why the emergency is being requested. 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. 206-14 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Ord. 207-14:

An Ordinance Authorizing the Mayor to execute a Revocable Use Permit with Foundry Holdings, LLC for use of the parking lot located at 563 Bronson Street. Mr. Shields moved for the adoption of Ordinance/Resolution No. 207-14, seconded by Mr. Simpson. Mr. Patton stated a portion of their parking lot exists in the city's right-of-way. This ordinance allows them to maintain their parking as is, nothing changes but we are issuing a revocable use permit just to acknowledge that it is part of the road right-of-way. The roll was called and Ordinance/Resolution No. 207-14 passed by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Res. 208-14:

A Resolution donating a 2000 Pierce Pumper Fire Truck to the Medina County Career Center Fire Training Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 208-14, seconded by Mr. Simpson. Chief Painter explained it is not road worthy as an emergency vehicle and want to donate to the Fire Training Academy and will not leave their property and they will get several more years of use out of it. The roll was called and Ordinance/Resolution No. 208-14 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 209-14:

An Ordinance Amending Section 31.02(E) of the Salaries and Benefits Code of the City of Medina, Ohio Relative to the Salary Schedule for Part-Time Employees of the Medina Community Recreation Center affected by the Ohio Minimum Wage Increase. Mr. Shields moved for the adoption of Ordinance/Resolution No. 209-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 209-14, seconded by Mr. Simpson. Mr. Wright explained this is to adjust the part-time pay scale to reflect a minimum wage increase to \$8.10 on January 1, 2015. Emergency is needed so the pay scale can be in effect by the New Year. Mr. Kolesar is abstaining due to his mother being employed at the Rec. Center. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg and B. Lamb. M. Kolesar abstained. The roll was called and Ordinance/Resolution No. 209-14 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne and B. Hilberg. M. Kolesar abstained.

Ord. 210-14:

An Ordinance Amending Ordinance No. 208-13, passed December 9, 2013. (Amendments to 2014 Budget) Mr. Shields moved for the adoption of Ordinance/Resolution No. 210-14, seconded by Mr. Simpson. Mr. Dirham stated there are a lot of budget amendments this time being the last meeting of the year some of the main ones are grants, proceeds from the auction and airport advances. The roll was called and Ordinance/Resolution No. 210-14 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Ord. 211-14:

An Ordinance Authorizing the Mayor to execute a Right-of-Way Purchase Agreement with MCJ Enterprises for 750 W. Smith Road (Parcel #8) for the West Smith Rd. Reconstruction Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 211-14, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 211-14, seconded by Mr. Simpson. Mr. Patton explained this is another parcel that the city needs to acquire in order to construct the W. Smith Road Reconstruction Project. We are asking for the emergency clause as we have a signed contract with the property owner and would like to finalize that, pay it, and get property transferred 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. 211-14 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Ord. 212-14:

An Ordinance Authorizing the Finance Director to make certain Fund Advances. Mr. Shields moved for the adoption of Ordinance/Resolution No. 212-14, seconded by Mr. Simpson. Mr. Dirham explained this is an advance from the Airport Fund. The roll was called and Ordinance/Resolution No. 212-14 passed by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

To be added to the agenda:

Mr. Shields moved to add Ord. 213-14 to the agenda, seconded by Mr. Simpson. The roll was called on adding the ordinance and passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 213-14:

An Ordinance repealing Ordinance No. 142-14, passed September 8, 2014 and replacing Section 161.13 of the codified ordinances of the City of Medina, Ohio by the addition of a new Section 161.13, relative to the allocation of income tax funds. Mr. Shields moved for the adoption of Ordinance/Resolution No. 213-14, seconded by Mr. Simpson. Mr. Dirham explained the changes as follows: 1/2% increase in Fire Capital Fund, 2 ½% increase in allocation to General Fund, 2 ½% reduction in allocation to General Purpose Capital Fund and ½ % reduction to the Medina Community Recreation Center Fund. The roll was called and Ordinance/Resolution No. 213-14 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

Council Comments:

Mr. Kolesar thanked Council and Administration for all their hard work this last year in keeping the city moving forward. Happy Holidays to the Community and Merry Christmas.

Mr. Rose agreed with Mr. Kolesar and spoke of the Van Epp Family and how they demonstrate their commitment to the community. Note to Chief Berarducci, other communities are looking at our Police Chief in following his lead by putting the body cameras on our officers. He spoke of "Ringing the Bell" this past weekend for The Salvation Army and thanked the

Medina City Council
December 8th, 2014

community for donating. He stated he appreciates that Buehlers allows the Salvation Army in their stores. He wished a very Merry Christmas to all.

Mr. Lamb stated civic participation is an absolute key to maintaining a real sense of community. He thanked the Van Epp Family for their donation to our Historic District. Thank you to the Mayor for his positive engagement with him on the housing issue. He is looking forward to the New Year and intends to work hard without legislation both with the Mayor and Administration as well as the neighborhoods by design for real improvement. Realizes the efforts that go into the square lighting and recognized Nino Piccoli. Merry Christmas to everyone.

Mr. Coyne wished everyone a Merry Christmas and happy, safe New Year.

Adjournment:

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

Kathy Patton, Clerk of Council

John M. Coyne, III, President of Council

MEDINA CITY COUNCIL
December 30, 2014, Special Council Meeting
Multi-Purpose Room, Medina City Hall

Opening.

After due notice according to law, Medina City Council met in special, open session December 30, 2014. The meeting was called to order at 5:00 p.m. by President of Council John Coyne with the following members of Council present: M. Kolesar, B. Lamb, P. Rose, J. Shields, and J. Coyne. D. Simpson and B. Hilberg were absent.

Introduction of Ordinances and Resolutions.

Ord. 214-14

An Ordinance ratifying the agreement between the City of Medina and the International Brotherhood of Teamsters, Local 436. Mr. Shields moved for the adoption of Ordinance/Resolution No. 127-14, seconded by Mr. Kolesar. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 127-14, seconded by Mr. Kolesar. Mayor Hanwell thanked council for agreeing to the special meeting. He explained that our legal counsel thought it would be better to have the meeting before the end of the year so that we didn't get into a position where someone could argue about the healthcare notice. The Teamsters agreed to the same wages, same healthcare plan design changes as the three police unions and the non-union. We did raise the boot allowance from \$150 to \$200 due to the fact that the Teamsters contracts have been in effect since 2001 and the \$150 amount has never been modified. In addition, many in the union are part-time and are doing the work in 29 hours a week that they used to do in 35 hours a week. The only other thing that is a little different is on the wellness stipulation; it was recommended by Jon Delino that rather than give them only a week for the wellness compliance, that we make it effective January 31st to give them a bit over a month to comply. January 1st everyone will go to 12% (instead of 8%) and then if they don't comply with the wellness, it will go to 16%. Nino Piccoli handled all of the negotiations with the group and did a great job. Mr. Piccoli stated that this is a 2-year contract vs. the typical 3-year contract. The emergency clause is necessary because the contract goes into effect on the 1st of January. The roll was called on adding the emergency clause and was approved by the yeas votes of B. Lamb, P. Rose, J. Shields, J. Coyne, and M. Kolesar. The roll was called and Ordinance/Resolution No. 214-14 passed by the yeas votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, and J. Coyne.

Adjournment:

There being no further business before council, the meeting adjourned at 5:12 p.m.

Kathy Patton, Clerk of Council

John M. Coyne, III – President of Council

MEDINA CITY COUNCIL

January 5, 2015

Special Session - Organizational Meeting

Opening:

After due notice according to law, Medina City Council met in special, open session January 5, 2015. The meeting was called to order at 6:00 p.m. by President of Council John Coyne who also led the pledge of allegiance.

Invocation:

The invocation was offered by Rev. Neal Sadler – Senior Pastor, United Church of Christ.

Roll Call:

President Coyne called for the roll call and the following members of Council were present: J. Coyne, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson. B. Hilberg was absent.

Council Committee Appointments by President of Council:

President Coyne read the President of Council Appointments (see attached Exhibit A). Mr. Shields moved to approve the appointments as presented, seconded by Mr. Simpson. The roll was called and the appointments were approved by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Confirmation of Council Appointments :

CRA Housing Council – Bill Lamb, expiring 12/31/17

Mr. Shields moved to approve the appointment as presented, seconded by Mr. Simpson. The roll was called and the appointment was approved by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and M. Kolesar.

Fireman's Dependents Board – Brian Hilberg, expiring 12/31/18
Dennie Simpson, expiring 12/31/18

Mr. Shields moved to approve the appointments as presented, seconded by Mr. Simpson. The roll was called and the appointments were approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, M. Kolesar, and B. Lamb.

Micro-Enterprise Board – Paul Rose, expiring 12/31/17

Mr. Shields moved to approve the appointment as presented, seconded by Mr. Simpson. The roll was called and the appointment was approved by the yea votes of J. Shields, D. Simpson, J. Coyne, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Strategic Plan Advisory Committee – Clay Benjamin – Ward 2 expiring 12/31/18
Wendy Shubrowsky – Ward 3 expiring 12/31/18

Mr. Shields moved to approve the appointments as presented, seconded by Mr. Simpson. The roll was called and the appointments were approved by the yea votes of Simpson, J. Coyne, M. Kolesar, B. Lamb and P. Rose.

Storm Water Advisory Committee - Mark Kolesar, expiring 12/31/18

Mr. Shields moved to approve the appointment as presented, seconded by Mr. Simpson. The roll was called and the appointment was approved by the yea votes of J. Coyne, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Confirmation of Mayoral Appointments:

Cemetery Commission – John Gill, expiring 12/31/18

Mr. Shields moved to confirm the appointment as presented, seconded by Mr. Simpson. The roll was called and the appointment was confirmed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

JEDD Board – Jon Burkhart, expiring 12/31/18

Mr. Shields moved to confirm the appointment as presented, seconded by Mr. Simpson. The roll was called and the appointment was confirmed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and M. Kolesar.

Strategic Plan Advisory Board – Mayor Dennis Hanwell, expiring 12/31/18
Nino Piccoli, Service Director, expiring 12/31/18

Mr. Shields moved to confirm the appointments as presented, seconded by Mr. Simpson. The roll was called and the appointments were confirmed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, M. Kolesar, and B. Lamb.

Consideration of Council Rules:

Mr. Shields moved to re-adopt Section 111.15, the Rules of Council, seconded by Mr. Simpson. The roll was called and the motion approved by the yea votes of J. Shields, D. Simpson, J. Coyne, M. Kolesar, B. Lamb and P. Rose.

Adjournment:

There being no further business, the meeting was adjourned at 6:10 p.m.

Kathy Patton, Clerk of Council

John M. Coyne, President of Council

2015 MEDINA CITY COUNCIL COMMITTEES by President

FINANCE

John Coyne, Chairman (15)
Bill Lamb (15)
Brian Hilberg (17)
Jim Shields (15)
Paul Rose (17)
Dennie Simpson (15)
Mark Kolesar (17)

SPECIAL LEGISLATION

Bill Lamb, Chairman
Jim Shields
John Coyne

HEALTH, SAFETY & SANITATION

Paul Rose, Chairman
John Coyne
Mark Kolesar

STREETS & SIDEWALKS

Dennie Simpson, Chairman
Paul Rose
Bill Lamb

PUBLIC PROPERTIES

Jim Shields, Chairman
Brian Hilberg
Dennie Simpson

WATER & UTILITIES

Mark Kolesar, Chairman
Brian Hilberg
Dennie Simpson

2015 OTHER CITY COMMITTEES by President of Council

Other appointments:

Strategic Plan Advisory Committee

John Coyne – Exp. 12/31/18

RESOLUTION NO. 1-15

A RESOLUTION NAMING THE PARK LAND AT 406 SOUTH BROADWAY THE "SOPHIA VICTORIA TRAILHEAD".

WHEREAS: Ordinance No. 41-12, passed February 27, 2012 authorized the purchase of the property located at 406 South Broadway; and

WHEREAS: Section II, "Prices and Terms of Sale" states the "exclusive right to name the premises Sophia Victoria including all structures, appurtenances and improvements thereto. Seller shall convey said deed with a title guarantee in the amount of the purchase price, subject to the same exceptions, restrictions, and reservations and naming rights shown on the Deed."; and

WHEREAS: The City of Medina Finance Committee, on December 8, 2014 recommended that the property located at 406 S. Broadway be named the "Sophia Victoria Trailhead" and to erect a sign designating such park on the premises.

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

SEC. 1: That the property located at 406 South Broadway is hereby named the "Sophia Victoria Trailhead".

SEC. 2: 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. 3: That this Resolution 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. 2-15

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF MEDINA, OHIO AND THE MEDINA COUNTY FAIR HOUSING OFFICE FOR PROFESSIONAL SERVICES REQUIRED TO IMPLEMENT A FAIR HOUSING SERVICES PROGRAM FOR THE PY14 COMMUNITY HOUSING IMPROVEMENT GRANT (CHIP).

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

- SEC. 1:** That the Mayor is hereby authorized and directed to enter into an Agreement between the City of Medina, Ohio and the Medina County Fair Housing Office for professional services required to implement a Fair Housing Services Program for the PY14 Community Housing Improvement Grant (CHIP).
- SEC. 2:** That a copy of the Agreement is marked Exhibit A, attached hereto and incorporated herein.
- SEC. 3:** That the contract amount of \$5,000.00 is available in Account No. 138-0404-52215.
- 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

ORD 2-15
Exh. A

**PROFESSIONAL SERVICES AGREEMENT
BETWEEN
THE CITY OF MEDINA, OHIO
AND
MEDINA COUNTY FAIR HOUSING OFFICE
FOR
FAIR HOUSING SERVICES**

An Agreement between the City of Medina, hereinafter the "City", and the Medina County Fair Housing Office hereinafter the "MCFHO", for professional services required to implement a Fair Housing Services Program.

This is an Agreement made as of September 1, 2014 between City of Medina ("CITY"), 132 Elmwood Ave., Medina, Ohio 44256, and the Medina County Fair Housing Office ("MCFHO"), 144 North Broadway, Medina, Ohio 44256 and is contingent upon an executed grant agreement between the City of Medina and the State of Ohio.

WHEREAS: The City has entered into an Agreement with the Development Services Agency under the Community Housing Impact and Preservation Program Grant, Agreement Nos. A-C-14-2CN-1, A-C-14-2CN-2 and C-14-2CN-1; and

WHEREAS: The City is required to develop and implement a program to further the requirements of Title VIII of the Civil Rights Act of 1968 and the requirements of the Housing and Community Development Act of 1974; and

WHEREAS: The MCFHO has demonstrated the capacity to provide such services,

NOW, THEREFORE: The City and MCFHO, in consideration of their mutual covenants herein agree in respect to the performance of professional and technical services by the MCFHO and payment of said services by the City as set forth below.

SECTION 1 – BASIC SERVICES

1.1 General

- The MCFHO shall consult with the City to develop and implement a program to assure that the objectives of the Housing and Community Development Act of 1974 and the Civil Rights Act of 1968 are met and to further the objectives of the Ohio Civil Rights Act, Ohio Revised Code Chapter 4112.
- 1.2 The MCFHO shall perform for the City a Fair Housing Program Plan. Said Program Plan shall meet requirements set forth by the City, in the FY 2014 Community Housing Impact and Preservation Program Grant Application.
- 1.3 The MCFHO shall act as the City's representative on all matters related to Fair Housing efforts as directed by the City.
- 1.4 The MCFHO shall advise the City of all program requirements related to Fair Housing efforts necessary to satisfy requirements outlined by the Development Services Agency, Office of Community Development.
- 1.5 The MCFHO shall perform all elements of the Fair Housing Services Program as described in said application.
- 1.6 The MCFHO will continue: 1) Provide intake of fair housing complaints and follow-up service; 2) review existing fair housing ordinance for appropriate current language; 3) to conduct educational seminars and programs informing citizens of their rights and responsibilities under Title VIII of the Civil Rights Act of 1968 and to carry out such other activities as it deems appropriate to further fair housing; 4) to develop and distribute fair housing information and materials to residents and civic groups or schools consistent with Community Housing Impact and Preservation Program application "Fair Housing Program," copy attached.

SECTION 2 – BOARD OF CONTROL RESPONSIBILITIES

- 2.1 The City shall provide all criteria and full information as to the City's requirements for the Program.
- 2.2 The City shall designate in writing a person to act as the City's representative with respect to the services to be rendered under this Agreement. Such person shall have complete authority to transmit instruction, receive information, interpret and define the City's policies and decisions with respect to the services called for in the Agreement.
- 2.3 The City shall give prompt written notice to the MCFHO whenever the City observes or otherwise becomes aware of any development that affects the scope or timing of the MCFHO's performance of service.

SECTION 3 – PERIOD OF SERVICE

- 3.1 The provisions of this section and the rates of compensation for the MCFHO's services provided for elsewhere in this Agreement have been agreed to in anticipation of the orderly and continuous progress of the program.
- 3.2 After acceptance by the City of the Fair Housing Program indicating any specific modifications or changes in the extent of the Program desired by the City, and upon written authorization from the City, the MCFHO shall proceed with the performance of the services called for in the FY 2014 Fair Housing Section of the Community Housing Impact and Preservation Program Application, as supplemented by the Program Plan.
- 3.3 This Agreement shall be effective on the date first written and shall terminate on **October 31, 2016**, unless it is agreed in writing to extend said Agreement beyond such date by amendment by all parties hereto.
- 3.4 Changes

The City may, from time to time, request changes in the scope of the services of MCFHO to be performed hereunder. Such changes, including any increase or decrease in the amount of MCFHO's compensation, which are mutually agreed upon between the City and MCFHO, shall be incorporated in written amendment to this Contract.

SECTION 4 – PAYMENTS

- 4.1 For basic services of the MCFHO, the City shall pay a lump sum fee of Five Thousand Dollars (\$5,000.00) as follows:

Each payment shall be made upon submission, review and approval of a report of activities for the preceding period describing the services and activities of the MCFHO including the number of complaints received, type of complaint and status. Said report of activities shall be prepared and submitted by the MCFHO along with the sign in sheets for each meeting to the City and shall be accompanied by an update to the current Analysis of Impediments, and previous year's Action Plan and Annual Evaluation of Outcomes and Results, along with an application for payment in such form as described by the City.

- 4.2 In the event of termination by the City in accordance with provisions of this Agreement and exhibits, the MCFHO shall submit an application for payment and report of activities along with any sign-in sheets for meetings held for the period to the effective date of termination and payment shall be made on a pro-rated basis for all such days services were rendered and payment shall constitute payment in full for all services rendered under this Agreement.

SECTION 5 – GENERAL CONSIDERATION

5.1 Termination

If, through any cause, the MCFHO shall fail to fulfill in a timely and proper manner his obligations under this contract, or if the MCFHO shall violate any of the covenants, agreements, or stipulations of this contract, the City shall thereupon have the right to terminate this contract by giving written notice to the MCFHO of such termination and specifying the effective date thereof, at least five (5) days before the effective date of such termination. In such event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs and reports prepared by the MCFHO under this contract shall, at the option of the City, become its property and the MCFHO shall be entitled to receive just and equitable compensation for any work satisfactorily completed hereunder. Notwithstanding the above, the MCFHO shall not be relieved of liability to the City for damages sustained by the City, by virtue of any breach of the contract by the MCFHO, and the City may withhold any payments to the MCFHO for purposes of set-off until such time as the exact amount of damages due the City from the MCFHO is determined.

5.2 Termination for Convenience of the City

The City may terminate this Contract at any time giving at least ten (10) days notice in writing to MCFHO. If the contract is terminated by the City as provided herein, MCFHO will be paid for the time provided and expenses incurred up to the termination date. If this Contract is terminated due to the fault of MCFHO, Paragraph 1 hereof relative to termination shall apply.

5.3 Prohibitions of Kickbacks

The MCFHO nor any of its officers, partners, owners, agents, representatives, employees, or parties in interest has in any way colluded, conspired, connived or agreed, directly or indirectly with any other Bidder, firm, or person to submit a collusive or sham Bid in connection with the MCFHO for which the attached Bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, firm or person to fix any overhead, profit, or cost element of the Bid price or the Bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance, or unlawful agreement, any advantage against the City or any person interested in the proposed Contract; and the price or prices quoted are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representative, owners, employees, or parties in interest, including this affiant.

The MCFHO and the City each binds himself and his partners, successors, executors, administrators, assigns and legal representatives to the other party of

this Agreement and to the partners, successors, executors, administrators, assigns and legal representatives of such other party in respect to all covenants, agreements and obligations of this Agreement. Neither the City nor the MCFHO shall assign, sublet or transfer any rights under or interest in this Agreement without the written consent of the other.

5.4 Personnel

- a. MCFHO represents that it has, or will secure at its expense, all personnel required in performing the services under this Contract. Such personnel shall not be employees of or have any contractual relationship with the City.
- b. All of the services required hereunder will be performed by MCFHO or under his supervision and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under State and Local law to perform such services.
- c. None of the work or services covered by this Contract shall be subcontracted without the prior written approval of the City. Any work or services subcontracted hereunder shall be specified by written contract or agreement and shall be subject to each provision of this Contract.

5.5 Reports and Information

MCFHO, at such times and in such forms as the City may require, shall furnish the City such periodic reports as it may request pertaining to the work or services undertaken pursuant to this Contract, the costs and obligations incurred or to be incurred in connection therewith, and any other matters covered by this Contract.

5.6 Records and Audits

MCFHO shall maintain accounts and records, including personnel, property, and financial records, adequate to identify and account for all costs pertaining to the Contract and such other records as may be deemed necessary by the City to assure proper accounting for all project funds, both Federal and non-Federal shares. These records will be made available for audit purposes to the City or any authorized representative, and will be retained for three years after the expiration of this Contract unless permission to destroy them is granted by the City.

5.7 Findings Confidential

All of the reports, information, data, etc., prepared or assembled by MCFHO under this Contract are confidential and MCFHO agrees that they shall not be

made available to any individual or organization without the prior written approval of the City.

5.8 Copyright

No report, maps, or other documents produced in whole or in part under this Contract shall be subject of an application for copyright by or on behalf of MCFHO.

5.9 Compliance with Local Laws

MCFHO shall comply with all applicable laws, ordinances, and coded of the State and Local governments, and MCFHO shall save the City harmless with respect to any damages arising from any tort done in performing any of the work embraced by this Contract.

5.10 Equal Employment Opportunity

During the performance of this Contract, MCFHO agrees as follows:

- a. MCFHO will not discriminate against any employee or applicant for employment because of race, creed, sex, color, age, familial status, handicap, or national origin. MCFHO will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, sex, color, age, familial status, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. MCFHO agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the City setting forth the provision of this non-discrimination clause.
- b. MCFHO will, in all solicitation or advertisements for employees placed by or on behalf of MCFHO, state that all qualified applicants will receive consideration for employment with regard to race, creed, sex, color, age, familial status, handicap, or national origin.
- c. MCFHO will cause the foregoing provisions inserted in all subcontracts for any work covered by this Contract so that such provisions will be binding upon each subcontractor, provided that the foregoing provisions shall not apply to contracts or subcontract for standard commercial supplies or raw materials.
- d. MCFHO will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

- e. MCFHO will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the City's Department of Housing and Community Development and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- f. In the event of MCFHO's non-compliance with the non-compliance clauses of this Agreement or with any of such rules, regulations, or orders, this Agreement may be canceled, terminated, or suspended in whole or in part and MCFHO may be declared ineligible for future Government contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- g. MCFHO will include the provisions of paragraphs (a) through (g) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246, so that such provisions will be binding upon each subcontractor or vendor. MCFHO will take such action with respect to any subcontract or purchase order as the City's Department of Housing and Community Development may direct as a means of enforcing such provisions including sanctions for non-compliance, provided, however, that in the event MCFHO becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the City's Department of Housing and Community Development, MCFHO may request the United States to enter into such litigation to protect the interests of the United States.

5.11 Section 109 of The Housing and Community Development Act, As Amended

No person in the United States shall on the grounds of race, color, national origin, familial status, handicap, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title.

5.12 Section 3 Compliance in the Provision of Training, Employment and Business Opportunities

- a. The work to be performed under this contract is on a project assisted under a program providing direct Federal financial assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3 of the Housing and Community Development Act, as amended, Section 3 requires that to the greatest extent feasible

opportunities for training an employment be given to lower income residents of the project area and contracts for work in connection with the project be awarded to business concerns which are located in, or owned in substantial part by persons residing in the area of the project.

- b. The parties of this contract will comply with the provisions of said Section 3 and the regulations issued pursuant thereto by the Secretary of Housing and Urban Development set forth in 24 CFR Part 135, and all applicable rules and orders of the Department issued thereunder prior to the execution of this contract. The parties to this contract certify and agree that they are under no contractual or other disability which would prevent them from complying with these requirements.
- c. MCFHO will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contract or understanding, if any, a notice advising the said labor organization or worker's representative of his commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.
- d. MCFHO will include this Section 3 clause in every subcontract for work in connection with the project and will, at the direction of the applicant for or recipient of Federal financial assistance, take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR Part 135. MCFHO will not subcontract with any subcontractor where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR Part 135 and will not let any subcontract unless the subcontractor has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.
- e. Compliance with the provisions of Section 3, the regulations set forth in 24 CFR Part 135, and all applicable rules and orders of the Department issued hereunder prior to the execution of the contract, shall be a condition of the federal financial assistance provided to the project, binding upon its successors and assigns. Failure to fulfill these requirements shall subject the applicant or recipient, its Contractors, and subcontractors, its successors and assigns to those sanctions specified by the grant or loan agreement or contract through which Federal assistance is provided, and to such sanctions as are specified by 24 CFR Part 135.

SECTION 6 – SPECIAL PROVISIONS, EXHIBITS, SCHEDULES AND ATTACHMENTS

6.1 The following Exhibits are attached to and made part of this Agreement.

Exhibit A Fair Housing Section of the FY 2014 Community Housing Impact and Preservation Program Application.

Exhibit B "Certifications of City Finance Director."

6.2 This Agreement, together with the Exhibits and Schedules identified above, constitutes the entire Agreement between the City and the MCFHO and supersedes all prior written or oral understandings. This Agreement and said exhibits and schedules may only be amended, supplemented, modified or canceled by a duly written instrument.

SECTION 7 – NOTICE

All notices which either party have to or may give shall be addressed, in the case of the City, as follows:

City of Medina
Attn: Dennis Hanwell, Mayor
132 North Elmwood Ave.
Medina, Ohio 44256

with a copy to:

CT Consultants, Inc.
Attn: Phyllis Dunlap
8150 Sterling Court
Mentor, Ohio 44060

And in the case of the Consultant, as follows:

Medina County Fair Housing Office
Attn: Susan Hirsch
144 North Broadway
Medina, Ohio 44256

CITY OF MEDINA

Witness:

By: _____
Dennis Hanwell, Mayor
City of Medina

THE MEDINA COUNTY FAIR HOUSING OFFICE

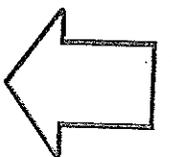
Witness:

PRESIDENT OF THE BOARD

By: MEDINA COUNTY COMMISSIONER

Title:

Pat Gussman



Date: 11-25-14

APPROVED AS TO FORM:

City Law Director

Exhibit "A"

PY 2014

**COMMUNITY HOUSING IMPACT AND PRESERVATION (CHIP) PROGRAM
FAIR HOUSING PROGRAM**

A. APPLICANT COMMUNITY: City of Medina

The applicant is required to designate a local fair housing coordinator: 1) who is an employee of the unit of local government; 2) who is generally accessible Monday through Friday; and 3) who will be responsible to intake initial fair housing complaints and concerns. The person's name, address, and phone number must appear in all fair housing materials.

Name: <u>Sandy Davis</u>	Title: <u>Administrative Assistant</u>
Address : <u>132 N. Elmwood Avenue</u>	P.O. Box: <u>703</u>
City, State: <u>Medina, Ohio</u>	ZIP: <u>44256</u>
Phone Local: <u>330-722-0397</u>	Phone Toll Free: _____
Email Address: <u>sdavis@medinaoh.org</u>	

A consultant or local agency may be used to carry out the Fair Housing requirements with the exception of the local contact requirements. If applicable, list agency or consultant coordinator below:

Name: <u>Susan Hirsch</u>	Title: <u>Principal Planner/Fair Housing Coordinator</u>
Address : <u>124 W. Washington Street, Ste. B4</u>	P.O. Box: _____
City, State: <u>Medina, Ohio</u>	ZIP: <u>44256</u>
Phone Local: <u>330-722-9219</u>	Phone Toll Free: _____

B. Each grantee is required to establish a system for intake and processing fair housing complaints and coordinating efforts with the appropriate regional office of the Ohio Civil Rights Commission. Attach a brief description of your method of intake and processing of fair housing complaints.

Estimate the number of housing discrimination complaints to be received per year: 5

C. Estimate the number of landlord-tenant complaints to be received per year: 60

D. Indicate the appropriate Ohio Civil Rights Commission (OCRC) Office with which you will coordinate:

Columbus Regional Office
30 E. Broad Street, 4th Floor
Columbus, Ohio 43215-3414
(614) 466-5928

Cincinnati Satellite Office
City Hall, Human Relations Commission
801 Plum Street, Room 158
Cincinnati, Ohio 45202
(513) 352-2466

X Cleveland Regional Office
Frank J. Lausche Building
615 W. Superior Avenue, Suite 885
Cleveland, Ohio 44113-1897
(216) 787-3150

Dayton Regional Office
40 W. 4th Street, Suite 1900
Dayton, Ohio 45402-1857
(937) 285-6500

Akron Regional Office
Akron Government Center
161 S. High Street, Suite 205
Akron, Ohio 44308-1602
(330) 643-3100

Toledo Regional Office
One Government Center, Room 936
Jackson and Erie Streets
Toledo, Ohio 43604
(419) 245-2900

Fair Housing Training Program

E.

All Grantees of Community Housing Impact and Preservation (CHIP) funds are required to conduct a fair housing training for each housing activity undertaken, e. g. private owner rehabilitation potential applicants, rental rehabilitation potential applicants, tenant based rental assistance (TBRA) applicants, Habitat For Humanity applicants, emergency monthly housing payment applicants, etc.). Also if you are targeting any special populations such as individuals with disabilities, seniors, homeless, battered spouses, etc., training should be designed and provided to the groups. Training should also be provided to agency staff that serve clients such as housing authorities, homeless prevention and supportive service agencies.

Homebuyer education activities must contain a fair housing component that includes information related to potential discriminatory actions related to lending, insurance and real estate practices, including abusive or unfair lending practices.

Owners who participate in rental rehabilitation projects must receive fair housing and tenant landlord training and/or information. Additionally, owners of rental rehabilitation projects consisting of five or more rental units must submit an affirmative marketing plan and receive training or information regarding affirmative fair housing marketing.

Develop a training strategy and list these trainings in the chart located below (the training must be held during the CHIP grant period). Be specific:

CHIP TARGET AREA OR TARGET POPULATION	TRAINING LOCATION	DESCRIPTION OF TRAINING	APPROXIMATE DATES OF TRAINING
e.g., High Street Area	East Community Center located in target area	Overview of Federal, State and Local Fair Housing laws with handouts	December 14, 2014 1 p.m.
Medina Residents city-wide	Medina City Hall	Fair Housing General Information; Landlord Tenant Rights	September, 2014
Wadsworth Residents city-wide	Wadsworth City Hall	Fair Housing Laws & Gen. Info.; Landlord Tenant Rights	November, 2014
Brunswick Residents city-wide	Brunswick Recreation Center	Fair Housing Laws & Gen. Info.; Landlord Tenant Rights	January, 2014
Landlords/Tenants	Medina Library	Landlord/Tenant Fair Housing Rights & Responsibilities	March, 2015
Homebuyers	Brunswick City Hall	Fair Housing General Info.; Predatory Lending	May, 2015

If the community applying for CHIP funding is not currently a direct Formula Allocation Program grantee, the training strategy must include fair housing training to at least three additional social or civic groups and/or schools in the community.

List the training in the chart below:

SOCIAL, OR CIVIC GROUP OR SCHOOL	TRAINING LOCATION	DESCRIPTION OF TRAINING	APPROXIMATE DATE OF TRAINING
e.g., Housing Authority Staff	Housing Authority office	Overview of Federal, State and Local Fair Housing laws with handouts	March 4, 2014 10 a.m.
1.			
2.			
3.			

Outreach Program

F. Fair housing information (i.e., brochures) must be distributed to all CHIP program participants/applicants. In addition, applicants are requested to develop a distribution strategy and list five points of distribution of fair housing information and materials to any combination of area agencies, organizations or public events which serve the CHIP Target Areas and potential program participants in the chart located below:

LOCATION	LIST OF MATERIALS TO BE DISTRIBUTED	AI	ESTIMATED QUANTITIES	APPROXIMATE NUMBER TO BE DISTRIBUTED PER QUARTER	APPROXIMATE DATES OF DISTRIBUTION			
					1 st Qtr.	2 nd Qtr.	3 rd Qtr.	4 th Qtr.
1. Medina City Hall	FH Rights & Law; Tenant/Landlord Rights & Responsibilities; FH Guidelines for Property Owners		60	15	10/14	1/15	4/15	7/15
2. Medina Office of Older Adults	FH Rights & Law; Tenant/Landlord Rights & Responsibilities; FH Guidelines for Property Owners		60	15	10/14	1/15	4/15	7/15
3. Brunswick City Hall	FH Rights & Law; Tenant/Landlord Rights & Responsibilities; FH Guidelines for Property Owners		60	15	10/14	1/15	4/15	7/15
4. Wadsworth City Hall	FH Rights & Law; Tenant/Landlord Rights & Responsibilities; FH Guidelines for Property Owners		60	15	10/14	1/15	4/15	7/15
5. Brunswick Recreation Center	FH Rights & Law; Tenant/Landlord Rights & Responsibilities; FH Guidelines for Property Owners		60	15	10/14	1/15	4/15	7/15

If the community applying for CHIP funding is not currently a direct Formula Allocation Program grantee, five additional points of distribution of fair housing information and materials to area agencies, organizations or public events which serve the CHIP Target Areas and potential program participants must be identified and listed in the following chart:

LOCATION	LIST OF MATERIALS TO BE DISTRIBUTED	AI	ESTIMATED QUANTITIES	APPROXIMATE NUMBER TO BE DISTRIBUTED PER QUARTER	APPROXIMATE DATES OF DISTRIBUTION			
					1 ST Qtr.	2 ND Qtr.	3 RD Qtr.	4 TH Qtr.
1. 123 Main Street	Fair Housing brochures		200	50	2/5	5/15	8/12	10/31
2.								
3.								
4.								
5.								

G. If training to be conducted by person/agency is different than indicated on page 1, list below:

The training will be conducted by: _____
 Name, Title, Address, Phone, Email: _____

H. The amount of CHIP general administrative funds budgeted to carry out Fair Housing Training and Outreach is \$ 5,000

If you are not using CHIP funds, what is the amount and source of funds to be utilized to carry out CHIP fair housing requirements?

Source of Funds (e. g., general funds) _____ Amount of Funds _____
 \$ _____

EXHIBIT B

FINANCE DIRECTOR'S CERTIFICATE

The undersigned Finance Director of the City of Medina, Ohio does hereby certify that all amounts required to meet the attached agreement for payment of professional services provided for on said agreement have been lawfully appropriated and authorized for said purposes and are in the Treasury of said City, or in the process of collection to the credit of an appropriate fund, free from previous and outstanding obligations.

CITY OF MEDINA, OHIO

Finance Director

ORDINANCE NO. 3-15

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 2 temporary easements must be acquired from Gowe Leasing Limited.

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>
9A	Gowe Leasing Limited	1-temporary easement	\$ 300.00
9B	Gowe Leasing Limited Partnership	1-temporary easement	<u>\$ 300.00</u>
TOTAL			\$ 600.00

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

ORD. 3-15
Exh. A

OWNER'S NAME

Gowe Leasing Limited

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

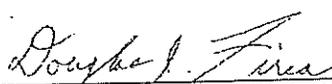
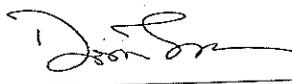
Federal Project # E060 (657)

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
9A-TV1	0.0058 acres (253 SF)	@ \$35,000/Ac. x 10% x 1.5 years = \$30.45		Rounded to	\$50
				State minimum award per ODOT 4000.7 D (Discussed below)	\$300

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.

	5/5/2014		05/14/2014
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: Mayor		AGENCY SIGNATURE ESTABLISHING FMVE	DATE
		TYPED NAME: Dennis Hanwell	
ADMINISTRATIVE SETTLEMENT:			
		F.M.V.E. AMOUNT	_____
		ADDITIONAL AMOUNT	_____
		TOTAL SETTLEMENT	_____
SIGNATURE	DATE		
TYPED NAME:			

(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-20-012 consisting of 2.09 gross and net acres (91,040 SF) with no portion of the parcel is located within P.R.O. My research indicates there are two adjoining parcels with the same ownership or use as the subject. Because each parcel is an improved property with established access easements and can support their own highest and best uses, only parcel 029-19A-20-012 is considered to be the larger parcel for purposes of this report. The subject is located at 717 W. Smith Road, Medina, Ohio which is on the north side of W. Smith Road two parcels west of State Road. The site is predominantly rectangular in shape, is improved with a light industrial building and has one access drive located on the north side of W. Smith Road. The property is owned by Gowe Leasing Limited and is located in the Buckeye Local School District. The subject property along with parcels 029-19A-20-011 and 029-19A-20-013 transferred on 9/12/2012 for \$1,000,000 per the Auditor's records, and 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 commercial 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	3	4	5	18
Address	360 Ryan Rd.	Beta Dr.	Johnston Pkwy.	York Beta Dr.	York Rd.
Location:	Seville	North Royalton	Garfield Heights	North Royalton	North Royalton
Sale Date:	2/1/2010	11/16/2012	9/30/2011	7/18/2012	6/28/2013
Sale Price:	\$25,000	\$60,000	\$65,000	\$115,000	\$185,000
Area:	1.1348 Ac. 49,432 SF	1.855 Ac. 80,804 SF	1.8844 Ac. or 82,084 SF	3.373 Ac. or 146,928 SF	3.9733 Ac. or 173,077 SF
Unit Value:	\$22,030/Ac. \$0.51/SF	\$32,345/Ac. \$0.74/SF	\$34,494/Ac. or \$0.79/SF	\$34,094/Ac. or \$0.78/SF	\$46,561/Ac. or \$1.07/SF

Discussion:	<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 \$33,905 and \$34,094 per acre respectively and all sales are given equal consideration.</p>					
Reconciliation:	<p>Based on the comparable sales, a reconciled unit value of \$35,000 per acre is reasonably supported by the comparable sales.</p> <p>Per ODOT Policies & Procedures Appraisers Operating Manual, Section 4000.07 D, "The minimum amount of compensation offered to an ownership is \$300. The minimum offer applies when the aggregate total compensation of a parcel series is less than \$300."</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>					
Analysis Of Site Improvements (support for contributory value):	<p>There are no compensable site improvements situated within the proposed take area. 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>					
Summarize the effect of the take on the residue property:	<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 is one proposed acquisition from the subject property, which is a Temporary Easement identified as 9A-TV1. The easement is irregular in shape extending across the eastern drive along the southern property line and has a maximum width of 28 feet. The Temporary Easement consists of 0.0058 acres (253 SF) and 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 with compensation based upon a ground lease at 10% per year. Upon completion of the project the owner will retain all rights to this area.</p> <p>Once the proposed project is complete, the subject will consist of 2.09 gross and net acres (91,040 SF) with no portion of the parcel located within P.R.O. Because the subject will continue to have a similar highest and best use after the acquisition and the area in the temporary easement will return to the owner with 100% of ownership rights, 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>					
	<table border="1"> <tr> <td data-bbox="342 1436 771 1474">Are there Severance Damages?</td> <td data-bbox="776 1436 922 1474">YES</td> <td data-bbox="927 1436 1154 1474"></td> <td data-bbox="1159 1436 1289 1474">NO</td> <td data-bbox="1294 1436 1485 1474">X</td> </tr> </table>	Are there Severance Damages?	YES		NO	X
Are there Severance Damages?	YES		NO	X		
Other Comments:	<p>The appraiser signing this report made all conclusions and analysis as to the estimation of value.</p>					

**Review Checklist for the
Value Analysis**

County MED
Route West Smith Road
Section n/a
Parcel(s) 9A TV-1
PID # 81334
Owner Gowe Leasing Limited

Appraiser: Douglas J. Firca Yes No
Is appraiser pre-approved by ODOT to perform V.A.'s?
Reviewer: Dean T. Smith Yes No
Is the Reviewer pre-approved by ODOT to review V.A.'s?

		Yes	No
1.	Is the valuation problem uncomplicated and is it obvious that there are no damages to the residue property?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2.	Is the estimated compensation \$10,000 or less?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.	Has the appraiser used the correct forms? (Value Analysis front and back)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.	Have all parts of the form filled out and are mandatory attachments included? (Comparable Sales)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.	Do the take areas on the V.A. correspond with the take areas on the R/W Plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.	Is the V.A. mathematically accurate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.	Has the appraiser accurately identified improvements within the take area	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8.	Has the larger parcel been identified?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9.	How large is the larger parcel?	<u>2.0900 ac. net</u>	
10.	Has the appraiser considered Unity of Title, Unity of Use and Contiguity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11.	Has Zoning been identified?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12.	Has the appraiser indicated what uses are permitted by Zoning?	<u>yes</u>	
13.	Has the appraiser indicated if the existing use conforms to zoning?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14.	Has the appraiser indicated what the minimum site size per zoning is allowed?	<u>yes</u>	
15.	Has the appraiser indicated if the property before the take conforms to site size?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16.	Has the appraiser indicated if the Residue conforms to site size?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17.	Has the Highest & Best Use been identified?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18.	Has the appraiser indicated whether the Highest & Best Use is permitted under zoning?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19.	Has the appraiser discussed the effect of the take?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20.	There can be no adverse effect to the residue other than a nominal cost to cure. Is there a cost to cure and if so is it nominal? no cost to cure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21.	Do the Comparable sales comply with ODOT standards?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22.	Are comparable sales analyzed and compared to the subject?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
23.	Is a range of value described?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
24.	Has the appraiser concluded which sales received the greatest weight and explained why?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- | | | | |
|-----|--|-------------------------------------|--------------------------|
| 25. | Do the sales share the same or nearly the same Highest & Best Use? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 26. | Do the sales have the same or nearly the same zoning as the subject? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 27. | Has the appraiser concluded a unit value for the subject property? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 28. | Is it within the value range indicated by the sales? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 29. | If not, has adequate information been given? | <input type="checkbox"/> | <input type="checkbox"/> |
| 30. | Has the allocated value of the site improvements taken been adequately supported? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 31. | Have cost to cures or temporary takes been adequately discussed and supported, if any? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 32. | Do you approve the compensation estimated as the basis for the agency to establish FMVE. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 33. | If yes, what is that amount? (Minimum award) | \$300 | |
| 34. | If no, then Why Not? | | |
| 35. | If rejected, has a deficiency letter been sent to the agency and the appraiser? | <input type="checkbox"/> | <input type="checkbox"/> |

Reviewer's Certification

I hereby certify that:

- I have reviewed the R/W Plans
- I have physically inspected the take area of the subject property.
- I have field reviewed the comparable sales used in the valuation.
- I concur that the Value Analysis format is the proper valuation format in that it is obvious that the taking does not adversely impact the residue property, that the valuation problem is uncomplicated and that the FMVE is \$10,000 or less.
- I concur that the Value Analysis complies with ODOT's Policies and Procedures Manual.
- I have no present or prospective interest in the subject property.
- My employment and compensation is not contingent on an action or event resulting from this analysis, opinions or conclusions or reporting pre-determined results.

49 CFR 24.104(a)

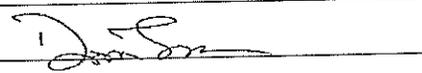
The review appraiser shall identify each appraisal report as recommended (as the basis for the establishment of the amount believed to be just compensation), accepted (meets all requirements, but not selected as recommended or approved), or not accepted.

Please check one of the selections below:

- Recommended** = This means that the report meets the many Federal and State requirements and is the basis for the acquiring agency's offer.
- Accepted** = This means that the report meets the many Federal and State requirements but is not being used as the basis for the acquiring agency's offer.
- Not Accepted** = This means that the report does not meet the many Federal and State requirements and will not be used as the basis for the acquiring agency's offer

DATE: 05/14/2014

Signature



Appraisal Reviewer: Dean T. Smith

VALUE ANALYSIS (\$10,000 OR LESS)

OWNER'S NAME

Gowe Leasing Limited

COUNTY MED

ROUTE West Smith Road

SECTION N/A

PID# 81334

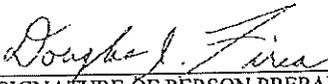
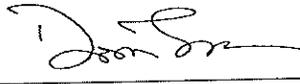
Federal Project # E060 (657)

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
9B-TV	0.017 acres (741 SF)	@ \$35,000/Ac. x 10% x 1.5 years = \$89.25		Rounded to	\$100
				State minimum award per ODOT 4000.7 D (Discussed below)	\$300

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.

	5/5/2014		05/14/2014
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: Mayor		AGENCY SIGNATURE ESTABLISHING FMVE	DATE
		TYPED NAME: Dennis Hanwell	
ADMINISTRATIVE SETTLEMENT:			
		F.M.V.E. AMOUNT	_____
		ADDITIONAL AMOUNT	_____
		TOTAL SETTLEMENT	_____
SIGNATURE	DATE		
TYPED NAME:			

(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 auditor's parcel number 029-19A-20-013 consisting of 2.1415 gross and net acres (93,284 SF) with no portion of the parcel is located within P.R.O. My research indicates there are two adjoining parcels with the same ownership or use as the subject. Because each parcel is an improved property with established access easements and can support their own highest and best uses, only parcel 029-19A-20-013 is considered to be the larger parcel for purposes of this report. The subject is located at 755 W. Smith Road, Medina, Ohio which is on the north side of W. Smith Road three parcels west of State Road. The site is predominantly rectangular in shape, is improved with a light industrial building and has one access drive located on the north side of W. Smith Road. The property is owned by Gowe Leasing Limited and is located in the Buckeye Local School District. The subject property along with parcels 029-19A-20-011 and 029-19A-20-012 transferred on 9/12/2012 for \$1,000,000 per the Auditor's records, and 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 commercial 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	3	4	5	18
Address	360 Ryan Rd.	Beta Dr.	Johnston Pkwy.	York Beta Dr.	York Rd.
Location:	Seville	North Royalton	Garfield Heights	North Royalton	North Royalton
Sale Date:	2/1/2010	11/16/2012	9/30/2011	7/18/2012	6/28/2013
Sale Price:	\$25,000	\$60,000	\$65,000	\$115,000	\$185,000
Area:	1.1348 Ac. 49,432 SF	1.855 Ac. 80,804 SF	1.8844 Ac. or 82,084 SF	3.373 Ac. or 146,928 SF	3.9733 Ac. or 173,077 SF
Unit Value:	\$22,030/Ac. \$0.51/SF	\$32,345/Ac. \$0.74/SF	\$34,494/Ac. or \$0.79/SF	\$34,094/Ac. or \$0.78/SF	\$46,561/Ac. or \$1.07/SF

Discussion:	<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 \$33,905 and \$34,094 per acre respectively and all sales are given equal consideration.</p>				
Reconciliation:	<p>Based on the comparable sales, a reconciled unit value of \$35,000 per acre is reasonably supported by the comparable sales.</p> <p>Per ODOT Policies & Procedures Appraisers Operating Manual, Section 4000.07 D, "The minimum amount of compensation offered to an ownership is \$300. The minimum offer applies when the aggregate total compensation of a parcel series is less than \$300."</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>				
Analysis Of Site Improvements (support for contributory value):	<p>There are no compensable site improvements situated within the proposed take area. 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>				
Summarize the effect of the take on the residue property:	<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 is one proposed acquisition from the subject property, which is a Temporary Easement identified as 9B-TV. This easement is irregular in shape extending across the driveway near the southeast corner of the site and has a maximum width of 57.47 feet along the southern property line. The Temporary Easement consists of 0.017 acres (741 SF) and 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 with compensation based upon a ground lease at 10% per year. Upon completion of the project the owner will retain all rights to this area.</p> <p>Once the proposed project is complete, the subject will consist of 2.1415 gross and net acres (93,284 SF) with no portion of the parcel located within P.R.O. Because the subject will continue to have a similar highest and best use after the acquisition and the area in the temporary easement will return to the owner with 100% of ownership rights, 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>				
Other Comments:	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Are there Severance Damages?</td> <td style="width: 20%; text-align: center;">YES</td> <td style="width: 20%; text-align: center;">NO</td> <td style="width: 20%; text-align: center;">X</td> </tr> </table> <p>The appraiser signing this report made all conclusions and analysis as to the estimation of value.</p>	Are there Severance Damages?	YES	NO	X
Are there Severance Damages?	YES	NO	X		

Review Checklist for the Value Analysis

County MED
Route West Smith Road
Section n/a
Parcel(s) 9B TV
PID # 81334
Owner Gowe Leasing Limited

Appraiser: Douglas J. Firca Yes No
Is appraiser pre-approved by ODOT to perform V.A.'s?
Reviewer: Dean T. Smith Yes No
Is the Reviewer pre-approved by ODOT to review V.A.'s?

- | | Yes | No |
|---|-------------------------------------|-------------------------------------|
| 1. Is the valuation problem uncomplicated and is it obvious that there are no damages to the residue property? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is the estimated compensation \$10,000 or less? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Has the appraiser used the correct forms? (Value Analysis front and back) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Have all parts of the form filled out and are mandatory attachments included? (Comparable Sales) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Do the take areas on the V.A. correspond with the take areas on the R/W Plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Is the V.A. mathematically accurate? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Has the appraiser accurately identified improvements within the take area | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Has the larger parcel been identified? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. How large is the larger parcel? | 2.1415 ac. net | |
| 10. Has the appraiser considered Unity of Title, Unity of Use and Contiguity? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11. Has Zoning been identified? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12. Has the appraiser indicated what uses are permitted by Zoning? | yes | |
| 13. Has the appraiser indicated if the existing use conforms to zoning? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 14. Has the appraiser indicated what the minimum site size per zoning is allowed? | yes | |
| 15. Has the appraiser indicated if the property before the take conforms to site size? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16. Has the appraiser indicated if the Residue conforms to site size? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 17. Has the Highest & Best Use been identified? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 18. Has the appraiser indicated whether the Highest & Best Use is permitted under zoning? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 19. Has the appraiser discussed the effect of the take? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 20. There can be no adverse effect to the residue other than a nominal cost to cure. Is there a cost to cure and if so is it nominal? no cost to cure | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 21. Do the Comparable sales comply with ODOT standards? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 22. Are comparable sales analyzed and compared to the subject? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 23. Is a range of value described? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 24. Has the appraiser concluded which sales received the greatest weight and explained why? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

- | | | | |
|-----|--|-------------------------------------|--------------------------|
| 25. | Do the sales share the same or nearly the same Highest & Best Use? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 26. | Do the sales have the same or nearly the same zoning as the subject? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 27. | Has the appraiser concluded a unit value for the subject property? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 28. | Is it within the value range indicated by the sales? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 29. | If not, has adequate information been given? | <input type="checkbox"/> | <input type="checkbox"/> |
| 30. | Has the allocated value of the site improvements taken been adequately supported? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 31. | Have cost to cures or temporary takes been adequately discussed and supported, if any? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 32. | Do you approve the compensation estimated as the basis for the agency to establish FMVE. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 33. | If yes, what is that amount? (Minimum award) | \$300 | |
| 34. | If no, then Why Not? | | |
| 35. | If rejected, has a deficiency letter been sent to the agency and the appraiser? | <input type="checkbox"/> | <input type="checkbox"/> |

Reviewer's Certification

I hereby certify that:

- I have reviewed the R/W Plans
- I have physically inspected the take area of the subject property.
- I have field reviewed the comparable sales used in the valuation.
- I concur that the Value Analysis format is the proper valuation format in that it is obvious that the taking does not adversely impact the residue property, that the valuation problem is uncomplicated and that the FMVE is \$10,000 or less.
- I concur that the Value Analysis complies with ODOT's Policies and Procedures Manual.
- I have no present or prospective interest in the subject property.
- My employment and compensation is not contingent on an action or event resulting from this analysis, opinions or conclusions or reporting pre-determined results.

49 CFR 24.104(a)

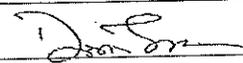
The review appraiser shall identify each appraisal report as recommended (as the basis for the establishment of the amount believed to be just compensation), accepted (meets all requirements, but not selected as recommended or approved), or not accepted.

Please check one of the selections below:

- Recommended** = This means that the report meets the many Federal and State requirements and is the basis for the acquiring agency's offer.
- Accepted** = This means that the report meets the many Federal and State requirements but is not being used as the basis for the acquiring agency's offer.
- Not Accepted** = This means that the report does not meet the many Federal and State requirements and will not be used as the basis for the acquiring agency's offer

DATE: 05/14/2014

Signature



Appraisal Reviewer: Dean T. Smith

RESOLUTION NO. 4-15

**A RESOLUTION REQUESTING THE COUNTY AUDITOR
TO MAKE TAX ADVANCES DURING THE YEAR 2015
PURSUANT TO OHIO REVISED CODE SECTION 321.34.**

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

- SEC. 1:** That the County Auditor is hereby requested to draw and the County Treasurer to pay on such draft, to the Director of Finance of the City of Medina, Ohio such money as may be in the county treasury from time to time during the year 2015, to the account of the City of Medina, Ohio and lawfully applicable to the purpose of the current fiscal year in which such request is made. Such payments are to be made from time to time as the Director of Finance may request.
- SEC. 2:** That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to the Medina County Auditor.
- SEC. 3:** 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. 4:** That this Resolution 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

**REQUEST FOR ADVANCE OF TAXES COLLECTED
MUNICIPALITIES, SCHOOL DISTRICTS, TOWNSHIPS**

Rev. Code Sec. 321.34

To the Auditor of Medina County, Ohio:

Medina, Ohio, January 12, 20 15.

YOU ARE HEREBY REQUESTED to issue your warrant upon the County Treasurer of said County in favor of Keith Dirham as Finance Director of The City of Medina in said County for all available Dollars, of the current collection of taxes assessed and collected for and in behalf of said City which shall be held and treated as an advance payment on the current collection of taxes due said City at the ensuing settlement, 20 15, as provided by law.

Pursuant to a Resolution adopted by the Medina City Council, adopted January 12, 20 15. Resolution No. 4-15.

(President of Board - City - Village Treasurer)

Fiscal Officer/Treasurer

1. Fiscal Officer or Treasurer
2. _____ School District. _____ Township, or the (City - Village) of _____
3. District, Township or Municipality.
4. Board of Education of said School District. Board of Trustees of said Township. or Council of said Municipality.



Medina County Auditor

MIKE KOVACK

144 North Broadway St. • Medina, Ohio 44256

Date: December 30, 2014

To: Township Fiscal Officers
Village Clerks
City Finance Directors
Library Treasurers
School Treasurers

From: MaryBeth Guenther, Tax Settlements
Medina County Auditor's Office

Re: Tax Advances (1st half 2015 collection)
(2nd half 2015 collection)

Schedule for Advances on the First Half Tax Collection:

REQUEST SLIP DUE BY

PAYMENT DATES:

FRIDAY: January 16, 2015

FRIDAY: January 23, 2015
FRIDAY: February 06, 2015
FRIDAY: February 20, 2015
FRIDAY: March 06, 2015

Schedule for Advances on the Second Half Tax Collection:

PAYMENT DATES:

THURSDAY: July 2, 2015
FRIDAY: July 17, 2015
FRIDAY: JULY 31, 2015

Just send in one request slip and a copy of your resolution or ordinance stating that you want the advances for the year of 2015.

There will be seven advances for the year, four the first half and three the second half. Just pass your resolution or ordinance stating you will want all available advances for the year.

If you will not have a meeting until after the first request date, and you want the advances please call and let me know.

If you have any special needs or questions, please call
330/725-9781

ORDINANCE NO. 5-15

AN ORDINANCE ESTABLISHING THREE (3) NEW SPECIAL REVENUE FUNDS IN ACCORDANCE WITH SECTION 5705.09 OF THE OHIO REVISED CODE.

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

- SEC. 1:** That the Finance Director of the City of Medina is hereby authorized to establish the Ohio Housing Trust Fund (OHTF) (Fund #129) – State Grant
- SEC. 2:** That the Finance Director of the City of Medina is hereby authorized to establish the Community Development Block Grant Fund (CDBG) (Fund #138) – CFDA#14.228 – Federal Grant
- SEC. 3:** That the Finance Director of the City of Medina is hereby authorized to establish the HOME Investment Partnerships Program Fund (CHIP) (Fund #139)-CFDA#14.239 – Federal Grant
- SEC. 2:** That these funds will account for revenues and expenditures pertaining to the State and Federal Grants listed above which were awarded to the City of Medina.
- 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. 6-15

**AN ORDINANCE AMENDING ORDINANCE NO. 200-14,
PASSED DECEMBER 8, 2014. (Amendments to 2015 Budget)**

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

SEC. 1: That Ordinance No. 200-14, passed December 8, 2014, shall be amended by the following additions:

<u>Account No./Line Item</u>	<u>Additions</u>
104-0301-53313 (Refund)	\$349.38

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