CITY OF MEDINA
AGENDA FOR COUNCIL MEETING

March 23, 2015
Medina City Hall
7:30 p.m.

Call to Order.

Roll Call.

Reading of minutes. (March 9, 2015)

Reports of standing committees.

Requests for council action.

Reports of municipal officers.

Confirmation of Mayor's appointment.

Records Commission – Justin Petrecca – Expiring 12/31/16

Notices, communications and petitions.

Unfinished business.

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

Introduction and consideration of ordinances and resolutions.
Ord. 35-15
An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the annual purchase of general pavement services and equipment to be used by the Service Department.

Ord. 36-15
An Ordinance rezoning Parcel Nos. 028-19A-13-108, 028-19A-17-001, and 028-19A-16-047 located in the 600 block of N. Huntington Drive from R-3 High Density Urban Residential to SPD-2 Special Planning District.

Ord. 37-15
An Ordinance authorizing the Mayo to advertise for competitive bids and to award a contract for the construction of lights and gates at the City's State Road Railroad Crossing.

Ord. 38-15
An Ordinance amending Ordinance No. 200-14, passed December 8, 2014. (Amendments to the 2015 budget)

Presentation from Medina County Sanitary Engineer's Office.

"Solid Waste Plan Update by the Medina County Solid Waste District"

Council comments.

Adjournment.

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Council comments.

Adjournment.

MEDINA CITY COUNCIL
March 9th, 2015, Regular Session

Public Hearing:
To consider the rezoning of Permanent Parcel Nos. 028-19A-13-108, 028-19A-17-001, and 028-19A-16-047 from R-3, High Density Urban Residential to SPD-2, Special Planning District.

FOR rezoning:
Mr. Mendel spoke in favor of the amendment stating it is a request by Clover Construction to rezone about 10 ½ acres of land at the north end of the former Pythian Sisters site running between North Huntington and North Miner Dr. The plan design is for a 131 unit senior only apartment building. The plan is three stories occupying a center portion of the site. This has gone through the full Planning Commission review process with both meetings held on December 11, 2014 and January 8, 2015. There is language of deed restrictions that they applied to other sites in northeast Ohio.

Charles Szucs and Kevin Hoffman from Polaris Engineering & Surveying stepped forward to answer any questions that council may have. Council had none and thanked them for coming.

AGAINST rezoning:
No one was in attendance to speak against the rezoning.

The public hearing was closed at 7:35 p.m.

Opening:
Medina City Council met in regular, open session on Monday, March 9th, 2015. 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 M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

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

Minutes:
Mr. Shields moved that the minutes from the regular meeting on February 23rd, 2015, as prepared and presented by the Clerk be approved, seconded by Mr. Simpson. The roll was called and the minutes were approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Reports of Standing Committees:
Finance Committee: Mr. Coyne stated the Finance Committee met prior to Council, and the next meeting will be in two weeks.

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

Public Properties Committee: Mr. Shields stated they will meet Thursday, March 12th at 5 p.m. in the rotunda.

Special Legislation Committee: Mr. Lamb had no report, possible meeting will be scheduled to discuss the taxing under the age of 18 issue assigned to his committee this evening.

Streets & Sidewalks Committee: Mr. Simpson had no report, a meeting is scheduled for March 10th at 5:30 p.m. here at City Hall.

Water & Utilities Committee: Mr. Kolesar stated they will have their meeting the same night as Streets & Sidewalks on March 10th at 6:30 p.m.

Requests for Council Action:

Finance Committee

15-039-3/9 – 2015-2016 Equipment and General Pavement Services
15-040-3/9 – Budget Amendment
15-041-3/9 – Expenditure Over $15,000 – Wingfoot Tire
15-042-3/9 – Expenditure Over $15,000 – Paradise Tree Farm
15-043-3/9 – Expenditure Over $15,000 – Davis Tree Farm
15-044-3/9 – US 42 Corridor Improvement Project
15-045-3/9 – Bids, State Road Rail Crossing Lights & Gates

Public Properties Committee

15-046-3/9 – Kiwanis Playground – Res. Of Support

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported the following:

1) Second Baptist Rev. Cornell Carter has created a number of videos celebrating black history in our country and community. Please watch for them on Armstrong 36/37/201, www.medinatv.org, Medina TV You Tube at http://www.youtube.com/user/cityofmedina
2) February 25/26, 2015- Heritage Ohio hosted their Revitalization Training in Medina. Main Street Directors from across Ohio were here. I was able to welcome and share collaborations between MSM, Medina Chamber and the City of Medina for the benefit of all. Very positive comments from attendees of our community and praise of our ongoing efforts.
3) Collaborative fundraiser with Medina/Wadsworth Chambers to benefit Wounded Warrior Project. This Thursday, March 12, 2015 from 5 p.m. to 7:30 at Spunkmeyer's Pub and Crafted Cocktail Co. both at 993 High St., Wadsworth.
4) Tae Kwan Do State Tournament at MCRC Sat. March 28, 2015, kicks off at 9 a.m. First time hosted outside of the greater Columbus area. Will be excellent draw of people in to see our community. This is a qualifier for National Championship. 250 to 300 participants and their families as well as those guests coming to watch the event. Thanks to Kurt Gehring from MCRC for promoting this event at our Recreation Center.

5) Healthy Medina Kickoff was Sat., 1/10/15- still time/room to sign up if interested.

Keith Dirham, Finance Director reminded all residents they are required to file an income tax return for the city income tax filed with CCA. There are a few more opportunities left for assistance with this, Wed. March 25th 2 – 8 p.m., Wed. April 1st 2 – 8 p.m., and Sat. April 11th 8:30 – 2 p.m. These sessions are being held at the Recreation Center on Weymouth Rd.

Greg Huber, Law Director, stated that Miles Reed helped Rev. Cornell Carter put those videos together that Mayor Hanwell just spoke of. He recently updated our airport website, it's a great website and handy for airport users and he deserves some recognition and does a great job.

Chief Berarducci, Police Chief, explained they have entered into a memorandum of understanding with the Sheriff of Medina County. The detail on how the County SWAT Team will be organized and supervised and defines our contribution to that team, should a team ever be needed in our city, will be handled by the Mayor or himself. The sheriff's responsibility will be to train and supervise the actual team. We are contributing 4 officers to that team.

Kimberly Rice, Economic Development Director, reported there were a couple of ribbon cuttings in conjunction with Main Street Medina and the Chamber of Commerce on Friday, February 27th for Clothing Warehouse, 1155 North Court St. (former Old Navy building), then the Keller Williams Realty office at 116 West Washington, and High Voltage Indoor Go Cart, 333 Foundry St. We will be sending out notices and hope that all of council can join us for a racing match.

Jonathon Mendel, Planning Community Director, reminded all that Boards and Commissions meeting is this Thursday, March 12th at 5 p.m. in the multi-purpose room here at City Hall.

Chief Painter, Fire Chief, had no report.

Jansen Wehrley, Parks and Recreation Director, reported spring is in the air and reminded anyone interested in Youth Sports that links to the various sports associations can be found on the city website under the Parks Dept. tab. There is plenty of time to register for the spring season.
Jansen also stated he is pleased to announce the unification of Medina's Youth Football Associations and will be known as Medina Youth Gridiron.
He welcomed Curtis Wellock as the City Arborist and will start on Monday, March 16th, 2015.

Patrick Patton, City Engineer, reported the Lake Road project is in the phase where storm sewers are being replaced. This is somewhat intrusive to traffic but are still maintaining two way traffic with the assistance of traffic control flaggers and off duty Police Officers. The Wadsworth Rd. waterline project is completed except for the landscaping, reseeding, and restoration and a contractor will be cleaning things up this week.
BOC awarded a contract for our Railroad Improvement Project for some basic maintenance on the railroad improvements mostly for some new ties, rails and some misc. other items.

Nino Piccoli, Service Director, reported the Street crews are out patching pot holes and evaluating pavement and cleaning catch basins. Conversations/emails are being held daily on the CPF and the trash pickup with respect to the future recycling efforts and trash pickup.

Notices, Communications and Petitions:

Liquor Permit:

Mr. Shields moved not to object to the issuance of a D-1 permit to Fred W. Albrecht Grocery Company, dba ACME Fresh Market, NW corner of High Point Drive and SR 3. Motion seconded by Mr. Simpson and approved by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Unfinished Business:

There is none.

Introduction of Visitors:

Erica Graffein from the Auditors' office stated two reminders:

1. 18th annual Pet Adopt-a-Thon is Saturday, May 2nd 10-4 p.m. at the Community Center.
2. We are behind with our new construction due to the weather.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 31-15:

An Ordinance authorizing the Mayor to enter into a Professional Services Agreement with CT Consultants, Inc. for the administration and implementation of the Medina Downtown Revitalization Grant. Mr. Shields moved for the adoption of Ordinance/Resolution No. 31-15, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 31-15, seconded by Mr. Simpson. Mr. Mendel stated this is to enter into agreement with CT Consultants that we have worked with in the past for administration of CDBG efforts with the CHIP Grant to be the active administrator for the Downtown Revitalization Grant. Emergency is needed so that we can start executing our work with CT Consultants immediately. 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, M. Kolesar, and B. Lamb. The roll was called and Ordinance/Resolution No. 31-15 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Ord. 32-15:

An Ordinance Amending Part Eleven, Sections 1107.05 and 1103.99 of the codified ordinances of the City of Medina, Ohio relative to the penalty sections of the Planning and Zoning Code. Mr. Shields moved for the adoption of Ordinance/Resolution No. 32-15, seconded by Mr. Simpson. Mr. Mendel stated this is winding its way through the public review process. This is to create a better chain between various sections of the overall Planning and Zoning Code with penalties. The roll was called and Ordinance/Resolution No. 32-15 passed by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 33-15:
An Ordinance amending Ordinance No. 200-14, passed December 8, 2014.
(Amendments to 2015 Budget) Mr. Shields moved for the adoption of Ordinance/Resolution No. 33-15, seconded by Mr. Simpson. Mr. Dirham stated this is the amended version of this ordinance and will come out of the special projects fund. We are reducing appropriations in General Fund increasing in that fund creating a new account for this core project. Mr. Kolesar stated he is voting no due to his request to have the existing property still in the scope was denied. B. Hilberg, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

To be added to the Agenda:
Mr. Shield motioned to add Ord. 34-15 to the agenda, seconded by Mr. Simpson. The roll was called and the motion passed by the yea votes M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 34-15:
An Ordinance amending Ordinance No. 23-15, passed February 9, 2015, relative to the Preliminary Agreement with Silling Associates, Inc. for the Municipal Courthouse Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 34-15, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 34-15, seconded by Mr. Simpson. Mr. Dirham stated this is amending the authorization paid to the architect that is working on the court project. It was originally authorized with the intention for it to be paid out of Fund 169 the Courts Special Project Fund. That has been changed to be paid out of the 301 General Purpose Capital Fund. Emergency is needed so that they can be paid for work already done. Mr. Kolesar again will vote no for the same reason given in previous ordinance. 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. The roll was called and Ordinance/Resolution No. 34-15 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Council Comments:
Mr. Coyne stated Thursday, March 12th there is a JEDD Board meeting at 3:30 p.m. in City Hall to discuss a new petition coming into the JEDD, and to discuss the modification of the JEDD agreement between Montville and the City of Medina regarding the percentage level of money being put into the maintenance fund by the JEDD Board.

Adjournment:

There being no further business before Council, the meeting adjourned at 7:55 p.m.

_____
Kathy Patton, CMC - Clerk of Council

_____
John M. Coyne, President of Council

ORDINANCE NO. 35-15

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR COMPETITIVE BIDS AND TO AWARD A CONTRACT TO THE SUCCESSFUL BIDDER FOR THE ANNUAL PURCHASE OF GENERAL PAVEMENT SERVICES AND EQUIPMENT TO BE USED BY THE SERVICE DEPARTMENT.

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

SEC. 1: That the Mayor is hereby authorized and directed to advertise for competitive bids and to award a contract to the successful bidder for the annual purchase of general pavement services and equipment to be used by the Service Department in accordance with specifications on file in the office of the Mayor.

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

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

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

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

SIGNED: _____
Mayor

Effective date –

ORDINANCE NO. 36-15

AN ORDINANCE REZONING PARCEL NOS. 028-19A-13-108, 028-19A-17-001, AND 028-19A-16-047 LOCATED IN THE 600 BLOCK OF N. HUNTINGTON DRIVE FROM R-3 HIGH DENSITY URBAN RESIDENTIAL TO SPD-2 SPECIAL PLANNING DISTRICT.

WHEREAS: On December 11, 2014, the Planning Commission reviewed a request to rezone the above listed properties from R-3, High Density Urban Residential to SPD-2, Special Planning District to allow the construction of a 131 unit, 3 story senior-only (55 years old and older) occupancy multi-family development. The meeting was continued to the January 8, 2015 meeting for further information regarding the proposed parking supply and the ability of the City of enforce or require the senior-only occupancy restriction; and

WHEREAS: On January 8, 2015, Clover Construction and City staff addressed the December 11, 2014 concerns and the Planning Commission reviewed and recommended approval of the Conceptual Development Plan and Guidelines to rezone Parcel Nos. 028-19A-13-108, 028-19A-17-001, and 028-19A-16-047 from R-3, High Density Urban Residential to SPD-2, Special Planning District; and

WHEREAS: The notice of public hearing for the rezoning of Parcel Nos. 028-19A-13-108, 028-19A-17-001, and 028-19A-16-047 from R-3, High Density Urban Residential to SPD-2, Special Planning District was duly published and a hearing was held by Medina City Council March 9, 2015.

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

SEC. 1: That Parcel Nos. 028-19A-13-108, 028-19A-17-001, and 028-19A-16-047 located in the 600 Block of North Huntington Drive shall be rezoned from R-3, High Density Urban Residential to SPD-2, Special Planning District.

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

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

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

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

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

SIGNED: _____
Mayor

Effective –

36-15

ORDINANCE NO. 37-15

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR COMPETITIVE BIDS AND TO AWARD A CONTRACT FOR THE CONSTRUCTION OF LIGHTS AND GATES AT THE CITY'S STATE ROAD RAILROAD CROSSING.

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

SEC. 1: That the Mayor is hereby authorized and directed to advertise for competitive bids and to award a contract to the successful bidder for the construction of lights and gates at the City's State Road Railroad Crossing, Job #971, in accordance with plans and specifications on file in the office of the Mayor.

SEC. 2: That the estimated cost of the project, in the amount of $248,000.00, is available in Account No. 145-0630-54416.

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

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

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

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

SIGNED: _____
Mayor

ORDINANCE NO. 38-15

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:

Account No./Line Item	Additions
145-0630-54416 (Railroad-Lights/Signs)	140,000.00
145-0630-54416 (Railroad-Lights/Signs)	108,000.00 *

SEC. 2: That Ordinance No. 200-14, passed December 8, 2014, shall be amended by the following reductions:

Account No./Line Item	Reductions
145-0630-54411 (Railroad-Land)	140,000.00

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

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

* - new appropriation

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

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

SIGNED: _____
Mayor