

**MAYOR DENNIS HANWELL – STATE OF THE CITY ADDRESS
IMMEDIATELY FOLLOWING CITY COUNCIL MEETING**

**CITY OF MEDINA
AGENDA FOR COUNCIL MEETING**

August 24, 2015
Medina City Hall
7:30 p.m.

Call to Order.

Roll Call.

Reading of minutes. (July 13, 2015)

Reports of standing committees.

Requests for council action.

Reports of municipal officers.

Notices, communications and petitions.

Unfinished business.

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

Introduction and consideration of ordinances and resolutions.

Res. 102-15

A Resolution congratulating Andrew J. Root on attaining the rank of Eagle Scout.

Ord. 103-15

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the Audible Traffic Signal Project at two intersections around Public Square.

Ord. 104-15

An Ordinance amending Section 1147.07 (J) of the Zoning Code of the Codified Ordinances of the City of Medina, Ohio relative to Electronic Message Center Signs.

Res. 105-15

A Resolution accepting the donation of legal services from Walker & Jocke Co., LPA to file a Trademark Application and a Copyright Application for the Bicentennial logo for the City of Medina.

(emergency clause requested)

Res. 106-15

A Resolution of the Council of the City of Medina, Medina County, and State of Ohio, certifying that when a municipal obligation was incurred sums were lawfully appropriated in the funds to satisfy the obligation and sufficient sums currently exist to satisfy this obligation.
(emergency clause requested)

Ord. 107-15

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

Ord. 108-15

An Ordinance authorizing the Finance Director to make certain fund transfers.
(emergency clause requested)

Res. 109-15

A Resolution authorizing the Mayor to file an application for grant assistance with the Ohio Public Works Commission (OPWC) for the E. Smith Road Reconstruction Project.
(emergency clause requested)

Council comments.

Adjournment.

Public Hearing

To consider a text amendment to Section 1147.07(J) of the Planning and Zoning Code of the codified ordinances of the City of Medina, Ohio, pertaining to full color vs. single color electronic message center (EMC) signs.

For the text amendment:

Mr. Mendel stated that on May 14th 2015, the staff presented and recommended changes and additions to the Planning Commission to allow full color electronic message signs. Mr. Mendel would recommend that Council approve the changes to the electronic message signs section of the Zoning Code.

Against the text amendment:

No one spoke against the text amendment.

Opening:

Medina City Council met in regular, open session on Monday, July 13th, 2015. The meeting was called to order at 7:32 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 D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

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

Minutes:

Mr. Shields moved that the minutes from the regular meeting on June 22nd, 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 yeas of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated the Finance Committee met prior to Council. This is the last meeting before going on summer break until August 24, 2015.

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 reported a meeting is scheduled for July 22nd, at 5 p.m. prior to our budget hearing.

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

Requests for Council Action:

Finance Committee

- 15-122-7/13 – Payment Over \$3,000 – Terrace Construction
- 15-123-7/13 – Expenditure Over \$15,000 – Fire Safety Services
- 15-124-7/13 – Expenditure Over \$15,000 - Kokosing
- 15-125-7/13 – Authorize Walter & Jocke to File Trademark/Copyright Application
- 15-126-7/13 – Budget Amendments
- 15-127-7/13 – Establish New Fund – Bicentennial Committee Fund
- 15-128-7/13 – Transfer Request – 001 to 902.
- 15-129-7/13 – Payment Over \$3,000 – Trident Insurance (legal fees)
- 15-130-7/13 – Amend Codified Ordinances, Chapter 901
- 15-131-7/13 – Bids, Audible Traffic Signals
- 15-132-7/13 – Grant Application – Ohio Public Works Commission (OPWC)
- 15-134-7/13 – Request for Holiday Lighting Repair Funds

Streets & Sidewalks Committee

- 15-133-7/13 – Co-Name Section of Northland Dr. “Vietnam Veterans Memorial Way”

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported the following:

- 1) Healthy Strides - The walks will continue at various county parks with different health professional talks and walks on the second and fourth Saturday of each month starting April 11 and concluding Oct. 24. Good exercise, good information, and good way to see the many county parks and the amenities they have to offer. Walks and talks are both done in an hour, 9 a.m. to 10 a.m. Park locations will be on Healthy Medina Website- www.healthymedina.com or Medina County Parks website- www.medinacountyparks.com
- 2) Community Band Concerts - Started Friday, June 5 and each Friday night in July. Thanks to band and board members for keeping this tradition going. Concerts start at 8:30 p.m.
- 3) Medina County Arts Council - Art Events on Square 7/13 thru 7/17 from noon to 1 p.m., and 7 p.m. – 9 p.m. on Square.
- 4) Art in the Park Sunday, July 19, 11 a.m. to 5 p.m. on Square.
- 5) Movie Night on Square by Cool Beans - 7/25 & 8/22, 9 p.m. to 11:30 p.m.
- 6) Big Band Jazz on Square - Gardner’s Cottage- 8/1, 7 p.m. -9 p.m.
- 7) Shakespeare in the Park/Square - Medina Co. Show Biz- Friday 8/7, 4 p.m. -10 p.m., Sat. 8/8, 2 p.m. -10 p.m.
- 8) An Affair on the Square - Sun. 8/9, 11 a.m. to 5 p.m.
- 9) International Festival - Sat. August 22, 9 a.m. to 6 p.m.

- 10) Jazz Under the Stars - Velvet Voyage performed Sat. July 11 from 7 p.m. to 9 p.m. The next concert will be Sat. August 15, from 7 p.m. to 9 p.m. Performers will be Laura Varcho Quartet. Thanks to Thomas Sigel and Ormaco for arranging these free Jazz Concerts for our community. In case of rain the concert will be moved to United Church of Christ, Congregational, 217 East Liberty Street. See www.ormaco.org for further info.
- 11) Hope Council has a safe and enjoyable summer break!

Keith Dirham, Finance Director, stated the Finance Dept. splits the budgets into three parts to get through the process and we are finishing up the second part and will have another meeting with Council on that and then the third section is the General Fund Budget which the Finance Dept. will put out the packets and information to the dept. heads a week from today on July 20th. The Art in the Park is this Sunday, stop by the east side of the square and buy a meal from the Kiwanis Club we will be there from 11 a.m. – 5 p.m.

Greg Huber, Law Director, had no report, but thanked Council for their patience dealing with all the legislation they have considered this year.

Chief Berarducci, Police Chief, had no report, also thanked each member of Council for supporting the Police Dept. with their latest budget request, their trust in us is important. We are in the process of hiring their 39th officer and that is a historic number.

Kimberly Rice, Economic Development Director, reported July 24th is the next round of ribbon cuttings in conjunction with Main Street Medina and the Chamber of Commerce starting at noon with the new Court House Pizzeria, at 1 p.m. We will be at Sparrow Art Gallery and Studio located at 44 Public Square, Suites 3 & 4. Atlantica Pet Spa located at 799 North Court St. in Suite 31 at 3 p.m. Following at 4 p.m. is the Marathon Gas Station at 429 South Court St. (new owner). We are working with Matt and Derrick Fry from the Medina Cable TV on interviews of business CEO's and Presidents and they are doing 3 to 5 minute video/testimonials that we will be adding to the website by the end of this month.

Jonathon Mendel, Planning Community Director, had no report.

Chief Painter, Fire Chief, reported the new engine has been delivered and we are working diligently getting all the equipment mounted and required training in and hope to have it in service at Station 3 on Wadsworth Rd. in the next couple of weeks. Chief Painter reminded residents that they are offering CPR, First Aid and Fire Extinguisher Training at Station 1 during the summer months and they are filling up fairly quickly.

Mike Wright, Recreation Center Director, reported the following:
The Medina Rec's five day shut-down week for maintenance, repairs and deep cleaning is Monday, July 27th through Friday, July 31st. They will reopen on Sat. Aug. 1st at 8 a.m. Thank you to the school's maintenance and custodial departments for all their work they accomplish in such a short time. The next scheduled Rec Advisory Committee meeting is Thurs., July 16, 2015 at 7:30 a.m.

Jansen Wehrley, Parks and Recreation Director, reported that construction is underway at Spring Grove Cemetery for the new maintenance building and office. The previous building was demolished so there is a temporary office located behind the chapel. Last week they met with Brandstetter Carrol to kick off the design stage for the municipal pool at Memorial Park and it will take several months for the design to be completed. The trail connection from the Champion Creek Multi-Purpose Trail to Sam Masi Park was open this week and you are now able to access four parks from the Champion Creek Multi-Purpose Trail.

Dan Gladish, Building Official, was absent and had no report.

Patrick Patton, City Engineer, reported the Lake Road Construction Project continues, the first pour on the second half of the south bound lane. This road should be completed and open in a couple of weeks. Our Railroad Improvement Project is underway and should also be completed within the next few weeks.

Nino Piccoli, Service Director, reported that street crews have been working on painting and striping in the various areas and intersections throughout the city, additionally the crews have been working on cleaning storm sewers in advance of the grouting crew to repair some defects. We are encouraging residents to drop off their recyclables at the various locations throughout the county.

Notices, Communications and Petition

Mr. Shields moved not to object to the issuance of a new D-3 permit to H2 Huth & Harris Wine Merchants LLC, 221 S. Court Street, Medina. Motion seconded by Mr. Simpson and approved by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Mr. Shields moved not to object to the issuance of a new C-1 and C-2 permit to WJF Investment Corp., dba Medina Marathon, 428 S. Court St. Medina. Motion seconded by Mr. Simpson and approved by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Unfinished Business:

There was none.

Introduction of Visitors:

Denise Jocke – Medina County Auditors' Office,

The Township City and Village budget are due by July 20th to Marybeth Gunther. The City does not have anything to go on the ballot.

The CAUV field checks are completed and we have sent letters to anybody we thought might not be telling the truth and they have until Sept. 18th to respond.

Introduction and Consideration of Ordinances and Resolutions:

Res. 89-15:

A Resolution extending the Intensive Supervision Probation Grant for the Medina Municipal Court through the fiscal year 2016. Mr. Shields moved for the adoption of Ordinance/Resolution

No. 89-15, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 89-15, seconded by Mr. Simpson. Mr. Dirham stated this is for the court. This grant comes in at the end of the State fiscal year and the emergency is needed because it starts up right away. The roll was called on adding the emergency clause and was approved by the yeas 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. 89-15 passed by the yeas votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

Ord. 90-15:

An Ordinance amending Section 31.02(B)(6) of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Intensive Supervision Probation employees for the Municipal Court. Mr. Shields moved for the adoption of Ordinance/Resolution No. 090-15, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 090-15, seconded by Mr. Simpson. Mr. Dirham stated this is a part of the last ordinance. This is the Salaries and Benefits Code related to that same grant. The roll was called on adding the emergency clause and was approved by the yeas votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 090-15 passed by the yeas votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Ord. 91-15:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the 2015 ADA Curb Ramp Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 091-15, seconded by Mr. Simpson. Mr. Patton stated every year they get a CDBG grant. This year they are electing to use part of those funds to install curb ramps in various locations throughout the city. The roll was called and Ordinance/Resolution No. 091-15 passed by the yeas votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 92-15:

An Ordinance establishing a Special Revenue Fund, (#110) Ohio Department of Natural Resources (ODNR) Grant Fund. Mr. Shields moved for the adoption of Ordinance/Resolution No. 92-15, seconded by Mr. Simpson. Mr. Dirham stated that Mr. Wright from the Medina Rec. has secured a grant from ODNR for Handicap parking at the Rec. Center. We need a fund to run the money through for that. The roll was called and Ordinance/Resolution No. 092-15 passed by the yeas votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 93-15:

An Ordinance authorizing the Mayor to execute a Memorandum of Understanding with Montville Township for a trial program for expanded staffing hours at Fire Station #3. Mr. Shields moved for the adoption of Ordinance/Resolution No. 093-15, seconded by Mr. Simpson. Chief Painter stated this MOU would expand the staffing hours by putting on a 4 p.m. to 12 midnight shift Monday through Friday. Historically this is a busy block of time for the department and we are hoping to reduce response time and ensure adequate response to any incident. The cost will be divided equally between Montville Township and Medina City. This is a trial program and

if successful we look to modify the contract in the future. The roll was called and Ordinance/Resolution No. 093-15 passed by the yeas votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, J. Coyne, and B. Hilberg. D. Simpson (Abst.)

Ord. 94-15:

An Ordinance authorizing the payment of the remaining balance of the Medina Micro-Enterprise Revolving Loan Fund to the Medina County Economic Development Revolving Loan Fund. Mr. Shields moved for the adoption of Ordinance/Resolution No. 94-15; seconded by Mr. Simpson. Kimberly Rice stated the City has a Micro-Enterprise Revolving Loan Fund as part of a grant they received in 2010. The state has notified us that this year they would like us to either dissolve it by transferring the money to the County Economic Development Fund or return the money back to the state or combine it with existing or upcoming CDBG Project. They feel transferring it over Medina Co. Economic Development Revolving Loan Fund that our businesses would still be able to tap into that and still have this as an economic development benefit. The roll was called and Ordinance/Resolution No. 094-15 passed by the yeas votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

Ord. 95-15:

An Ordinance authorizing the payment of \$15,000.00 to the Medina City Development Corporation (MCDC) as the local match for the Frontier Communications America's Best Communities Prize competition. Mr. Shields moved for the adoption of Ordinance/Resolution No. 095-15, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 095-15, seconded by Mr. Simpson. Mr. Mendel stated this is to fund the MCDC efforts as a quarter finalist for the America's Best Community Prize through Frontier Communications and their various partners in the project. This would come out of the Economic Development Fund that is generated through the Montville JEDD. This would help meet that local match and the emergency is needed because the match must be confirmed by Aug. 4th. The roll was called on adding the emergency clause and was approved by the yeas votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose. The roll was called and Ordinance/Resolution No. 095-15 passed by the yeas votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Res. 96-15:

A Resolution of the Council of the City of Medina, Medina County, and State of Ohio, certifying that when a municipal obligation was incurred sums were lawfully appropriated in the funds to satisfy the obligation and sufficient sums currently exist to satisfy this obligation according to the attached sheet(s). Mr. Shields moved for the adoption of Ordinance/Resolution No. 096-15, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 096-15, seconded by Mr. Simpson. Mr. Dirham stated this is to pay for a construction company that helped us during a water break on a Sunday. The emergency is needed so that we can pay the bill. The roll was called on adding the emergency clause and was approved by the yeas 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. 096-15 passed by the yeas votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Ord. 97-15:

An Ordinance amending Ordinance No. 200-14, passed December 8, 2014.

(Amendments to the 2015 budget) Mr. Shields moved for the adoption of Ordinance/Resolution No. 097-15, seconded by Mr. Simpson. Mr. Dirham stated the first two additions are for donations and Council has to authorize the expenditure of that money. The final one is for the Bicentennial Committee. The reductions came out of the budget process that we had a couple weeks ago. The roll was called and Ordinance/Resolution No. 097-15 passed by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 98-15:

An Ordinance establishing a Bicentennial Committee Fund (#902). Mr. Shields moved for the adoption of Ordinance/Resolution No. 098-15, seconded by Mr. Simpson. Mr. Dirham stated we need to have a separate fund for this so we can solicit money for this operation. The roll was called and Ordinance/Resolution No. 098-15 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 99-15:

An Ordinance authorizing the Finance Director to make certain fund transfers. Mr. Shields moved for the adoption of Ordinance/Resolution No. 099-15, seconded by Mr. Simpson. Mr. Dirham stated this is to transfer \$2,500 from the General Fund to the Fund that we created in the last ordinance for the Bicentennial Fund. The roll was called and Ordinance/Resolution No. 099-15 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

Res. 100-15:

A Resolution adopting the tax budget of the City of Medina, Ohio for the fiscal year beginning January 1, 2016 and submitting the same to the Medina County Auditor. Mr. Shields moved for the adoption of Ordinance/Resolution No. 100-15, seconded by Mr. Simpson. Mr. Dirham stated we have a tax budget we have to turn in by July 20th and this is it. The roll was called and Ordinance/Resolution No. 100-15 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

To be added to the Agenda:

Mr. Shields moved to add Ord. 101-15 to the agenda, seconded by Mr. Simpson. The roll was called and passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Ord. 101-15:

An Ordinance amending Chapter 901 of the Codified Ordinances of the City of Medina, Ohio relative to Street Openings and Excavations. Mr. Shields moved for the adoption of Ordinance/Resolution No. 101-15, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 101-15, seconded by Mr. Simpson. Mr. Huber stated this ordinance allows the City Engineer the ability to review and allows for a permitting process with respect to placing utilities in a public right of way. The City of Medina is

seeing more small companies given public utility status which means they can bargain for space in our right of way as a consequence it's best to amend this ordinance, get to the engineer some ability to review these applications in an orderly process. The emergency is needed due to a request we have in front of us and would like to pass this legislation and use this as a spring board for the review process. The roll was called on adding the emergency clause and was approved by the yeas 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. 101-15 passed by the yeas votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Council Comments:

Mr. Simpson thanked Mr. Ram who is the executive director of the CDC for his representation at the Garden Party for a good cause. He also thanked Brian Hilberg for his efforts for the Ward 1 residents party.

Mr. Hilberg announced that they hosted the 3rd annual Ward 1 Community Block Party on Sunday, July 12th from 2 p.m. to 6 p.m. at Ray Mellert Park. This was a free family event for the residents, and there were about 200 people in attendance. Thank you to members of Council that attended: Mark Kolesar, Dennie Simpson and to Jim Shields for arranging the stages, Paul Rose and his wife helped serve food and Bill Lamb for helping set up. Thanks to the administration that attended, the Parks Department that helped get the park ready, The Mayor for cooking and his wife that helped serve food. Thanks to the following organizations for their participation: The Children Center of Medina County, Diversity Project, The Medina Community Police Activities league, The Medina Co. Solid waste district, LST, Medina Fire Dept., MPD, and Sister Circle. Thanks to our sponsors: Cupcake a Day, ABC Therapy Co., Absolute 0 Internet Studios, Angel Touch Software, C. Martin Trucking, Carlson Funeral Homes, Cool Beans Café, Corkscrew Saloon, Discount Drug Mart, High Voltage Indoor Karting, I Candy Graphics, Main Street Café, Mic Jak Candy Co., MCS, PJ Marley's, Second Baptist Church, Spokes Café, Intervention for Peace and Waite and Sons Funeral Homes. Special appreciation to Mark and Elisa Williams who once again offered up Williams on the Lake in case of severe weather.

Mr. Kolesar stated we are going on break and he thanks all Council Members and Administration for all their hard work so far this year, it really shows.

There have been a lot of complaints in Ward 3 with pet owners and their dogs so pet owners please be responsible when you are walking your dog and clean up after them.

Mr. Lamb thanked Brian Hilberg for the event. He thanked Council and administration also. He also expressed thanks to Congressman Renaci, Mr. Lamb stated he has always gotten an immediate response to any issues he has gone to Congressman Renaci about.

Mr. Coyne states there is a Budget Hearing on July 22nd at 5:30 p.m.

Medina City Council
July 13th, 2015

Adjournment:

There being no further business before Council, the meeting adjourned at 8:11 p.m.

Kathy Patton, CMC - Clerk of Council

John M. Coyne, President of Council

RESOLUTION NO. 102-15

**A RESOLUTION CONGRATULATING ANDREW J. ROOT
ON ATTAINING THE RANK OF EAGLE SCOUT.**

WHEREAS: *Andrew J. Root* is currently a member of Eagle Scout Troop 501 from Medina United Methodist Church, Great Trails Council; and

WHEREAS: *Andrew J. Root* has gone through the Boy Scouts of America (BSA) National Youth Leadership Training (NYLT) Program and is a member of the Order of the Arrow (OA); and

WHEREAS: As a result of considerable hard work in the areas of citizenship, physical fitness, character and leadership development, *Andrew J. Root* will receive his Eagle Scout Award, the highest award attainable in scouting; and

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

SEC. 1: That the Medina City Council hereby commends *Andrew J. Root* for his outstanding contribution to his community and Eagle Scout Troop 501 in attaining the prestigious rank of Eagle Scout.

SEC. 2: That a signed copy of this Resolution shall be presented to *Andrew J. Root* in recognition of his hard work and dedication in obtaining this award.

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

SIGNED: _____
Mayor

ORDINANCE NO. 103-15

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR COMPETITIVE BIDS AND TO AWARD A CONTRACT TO THE SUCCESSFUL BIDDER FOR THE AUDIBLE TRAFFIC SIGNAL PROJECT AT TWO INTERSECTIONS AROUND PUBLIC SQUARE.

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 Audible Traffic Signal Project (City Job #1006 and CDBG Grant Project #AF-14-03) for signals at Liberty St. & Broadway and Court St. & Washington Street 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 \$20,000.00, is available as follows: \$19,500.00 in Account No. 125-0404-54411, \$300.00 in Account No. 125-0404-53311, and \$200.00 in Account No. 125-0404-52214.

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. 104-15

AN ORDINANCE AMENDING SECTION 1147.07(J) OF THE ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO RELATIVE TO ELECTRONIC MESSAGE CENTER SIGNS.

WHEREAS: The notice of public hearing by Medina City Council was duly published and the hearing was duly held July 13, 2015.

WHEREAS: That Section 1147.07(j), relative to Electronic Message Center (EMC) signs currently reads as follows:

- (j) Electronic Message Center Signs. Electronic message center signs, permitted for ground signs only (excluding pole signs), shall be conditionally permitted in all districts, except the M-U, Historic, and TC-OV Districts, where such signs shall be prohibited. An electronic message center sign shall meet the following requirements:
- (1) Frequency. Copy change shall not be more frequently than once per thirty (30) seconds.
 - (2) Color. Copy shall be limited to a single color, as determined by the Planning Commission.
 - (3) Illumination. The intensity of the lights used in the message center shall not constitute a visual hazard for vehicular or pedestrian traffic. The sign shall be equipped with and shall use photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illumination. The Planning Director shall utilize reasonable judgement in determining whether the lighting constitutes a visual hazard.

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

SEC. 1: That Section 1147.07(j) of the Zoning Code of the codified ordinances of the City of Medina, Ohio relative to Electronic Message Center (EMC) Signs shall be amended as follows:

- (j) Electronic Message Center Signs. Electronic message center signs, permitted for ground signs only (excluding pole signs), shall be conditionally permitted in all districts, except the M-U, Historic, and TC-OV Districts, where such signs shall be prohibited. An electronic message center sign shall meet the following requirements:
- (1) Frequency. Copy change shall not be more frequently than once per thirty (30) seconds.
 - (2) Color. ~~Copy shall be limited to a single color, as determined by the Planning Commission.~~ Copy can be single or full color.
 - (3) Illumination. The intensity of the lights used in the message center shall not constitute a visual hazard for vehicular or pedestrian traffic. The sign shall be

equipped with and shall use photosensitive equipment which automatically adjusts the brightness and contrast of the sign in direct relation to the ambient outdoor illumination. The Planning Director shall utilize reasonable judgement in determining whether the lighting constitutes a visual hazard.

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: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

Effective date – September 23, 2015

RESOLUTION NO. 105-15

A RESOLUTION ACCEPTING THE DONATION OF LEGAL SERVICES FROM WALKER & JOCKE CO., LPA TO FILE A TRADEMARK APPLICATION AND A COPYRIGHT APPLICATION FOR THE BICENTENNIAL LOGO FOR THE CITY OF MEDINA, AND DECLARING AN EMERGENCY.

WHEREAS: The firm Walker & Jocke Co., LPA has offered its services to the Bicentennial Committee and the City of Medina to file a Trademark Application with the U.S. Patent and Trademark Office and a Copyright Application with the Copyright Office of the Library of Congress for the new logo for the upcoming 2018 Bicentennial Celebration of the City of Medina at no cost to the City.

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

SEC. 1: That the City hereby accepts the gracious donation of legal services from Walker & Jocke Co., LPA to file a Trademark Application and a Copyright Application for the new Bicentennial Logo for the City of Medina.

SEC. 2: That the fees that Walker & Jocke Co., LPA agree to pay include the following: \$325.00 for the initial filing with the Trademark Office, \$150.00 to file the Statement of Use, and \$55.00 to the Library of Congress for the Copyright Application.

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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to start the process as soon as possible so the City may begin to use the logo; wherefore, this Resolution shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

RESOLUTION NO. 106-15

A RESOLUTION OF THE COUNCIL OF THE CITY OF MEDINA, MEDINA COUNTY, AND STATE OF OHIO, CERTIFYING THAT WHEN A MUNICIPAL OBLIGATION WAS INCURRED SUMS WERE LAWFULLY APPROPRIATED IN THE FUNDS TO SATISFY THE OBLIGATION AND SUFFICIENT SUMS CURRENTLY EXIST TO SATISFY THIS OBLIGATION, AND DECLARING AN EMERGENCY.

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

WHEREAS: This Resolution will provide for the efficient and lawful certifications to provide Municipal Services; and

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

SEC. 1: That the Finance Director is authorized to draw warrants for the payment of municipal expenses in accordance with ORC 5705.41 (D) (1) to allow payment of the invoice from Trident Insurance Services in the amount of \$4,575.00 for legal services pertaining to the insurance deductible for employment practices liability insurance.

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

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 107-15

**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>
102-0620-53322 (Streets)	5,000.00 *
106-0103-51131 (Police Specials – Donation)	1,000.00 *
301-0381-52215 (Bicentennial Commons – Donation)	50.00 *
104-0301-52215 (Fireworks Donations)	6,000.00 *
104-0301-52215 (PO #2011002518)	7,000.00 *

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

<u>Account No./Line Item</u>	<u>Reductions</u>
161-0705-52226 (Muni Court Probation Fund)	5,000.00
161-0705-52215 (Muni Court Probation Fund)	1,000.00
161-0705-52211 (Muni Court Probation Fund)	2,000.00
161-0705-50111 (Muni Court Probation Fund)	2,000.00

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: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 108-15

AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO MAKE CERTAIN FUND TRANSFERS.

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

SEC. 1: That the Finance Director is hereby authorized to make the following fund transfers:

- \$20,000.00 from 001 General Fund to 145 Railroad Fund

SEC. 2: That the Clerk of Council is hereby authorized to forward a certified copy of this Ordinance 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 Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

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

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

RESOLUTION NO. 109-15

A RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION FOR GRANT ASSISTANCE WITH THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR THE E. SMITH ROAD RECONSTRUCTION PROJECT, AND DECLARING AN EMERGENCY.

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

SEC. 1: That the Mayor is hereby authorized and directed to file an application for grant assistance with the Ohio Public Works Commission (OPWC) for the E. Smith Road Reconstruction Project.

SEC. 2: That if the Grant is awarded to the City, the Mayor is authorized to accept the grant and complete all documentation necessary for the implementation and administration of the grant.

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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason the application deadline is September 4, 2015; wherefore, this Resolution shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor