

**CITY OF MEDINA  
AGENDA FOR COUNCIL MEETING**

January 25, 2016  
Medina City Hall  
7:30 p.m.

**Call to Order.**

**Roll Call.**

**Reading of minutes.** (January 11, 2016)

**Reports of standing committees.**

**Requests for council action.**

**Reports of municipal officers.**

**Approval of Council appointments.**

Charter Review Commission - Megan Spilman (At-Large), exp. 12/31/20

**Approval of Mayor's appointments.**

Board of Zoning Appeals – Rob Henwood, expiring 12/31/18

Community Investment Area Housing Council -  
Jim Bigan, expiring 12/31/18  
Rex Demczyk, expiring 12/31/18

Planning Commission – Justin Petrecca (alternate) – expiring 12/31/19

**Notices, communications and petitions.**

**Unfinished business.**

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

**Introduction and consideration of ordinances and resolutions.**

Res. 7-16

A Resolution amending the Intensive Supervision Probation Grant Extension and funding for the Medina Municipal Court through the fiscal year 2016.  
(emergency clause requested)

Ord. 8-16

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.  
(emergency clause requested)

Ord. 9-16

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the Sam Masi Park Playground Surfacing Project.

Ord. 10-16

An Ordinance authorizing the expenditure of \$66,906.18 to the Medina County Commissioners for the reimbursement to the Bond Reserve Fund for the Medina County Port Authority Fiber Network.

Ord. 11-16

An Ordinance amending Ordinance No. 51-15, passed April 27, 2015, relative to the 2015 Concrete Street Repair Program.

Ord. 12-16

An Ordinance authorizing an expenditure of \$40,547.14 to the Medina County Park District for the City's share of the Lake Medina to Reagan Parkway Trail Connector Project.

Ord. 13-16

An Ordinance amending Ordinance No. 165-15, passed December 22, 2015.  
(Amendments to 2015 Budget)

**Council comments.**

**Adjournment.**

MEDINA CITY COUNCIL

January 11th, 2016

**Opening:**

Medina City Council met in regular, open session on Monday, January 11th, 2016. The meeting was called to order at 7:30 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 B. Hilberg, M. Kolesar, P. Rose, J. Shields, D. Simpson, and J. Coyne. Councilman Lamb was absent.

Also present were the following members of the Administration: Mayor Dennis Hanwell, Keith Dirham, Greg Huber, Nino Piccoli, Patrick Patton, Jansen Wehrley, Dan Gladish, Jonathon Mendel, Mike Wright, Kimberly Marshall, Ron Stahl, Erica Graffain, Kevin McManus and Bob Finnar.

**Minutes:**

Mr. Shields moved that the minutes from the meetings on December 14<sup>th</sup>, December 22<sup>nd</sup> and January 4<sup>th</sup>, 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 M. Kolesar, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

**Reports of Standing Committees:**

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

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

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb was absent.

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

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

Emerging Technologies Committee: Mr. Rose had no report.

**Requests for Council Action:**

16-001-1/11 – Budget Amendment

16-002-1/11 – Bids, Municipal Court Scanning

16-003-1/11 – Intensive Supervision Probation Grant Funding Increase

16-004-1/11 – Bids, Sam Masi Park Playground Surfacing Project

16-005-1/11 – Payment to Medina County Park District for Trail Connector

16-006-1/11 – Final Fiber Payment to Medina County Commissioners

16-007-1/11 – 2016 Tax Advances

16-008-1/11 – Amending Ord. 51-15

**Reports of Municipal Officers:**

**Dennis Hanwell, Mayor,** reported the following:

- 1) Thanks to Main Street Medina - Excellent holiday season and activities in Historic District. Many compliments on decorations, lights, and upkeep of downtown.
- 2) Mild winter - Street staff have been using days when plowing/salting not required to review numerous storm water laterals in city tree lawns for cracks/failures. Some are repaired with replacing broken pipes, more minor leaks are repaired with grouting. These sunken areas of tree lawns have been source of concerns raised by residents at ward meetings. Generally little time to address same, so mild winter has permitted us to make good use of time not addressing snow/ice issues.
- 3) Working America canvassing in City - Legislative and political advocacy as well as educational canvassing of residential areas in City starting in January and going through election cycle will be conducted in the city. Times of canvassing will be 4 p.m. - 9 p.m. Monday through Friday and 10 a.m. - 5 p.m. on weekends. These activities are constitutionally protected under the First Amendment and do not require registering with City for solicitor's permit, or following solicitor regulations, as they are not selling anything. Working America is not for profit 501C5 labor organization, affiliated with AFL-CIO.
- 4) Medina Ice Festival is February 12th – 15th, 2016 - President's Day weekend - Ice sculptures supported by local businesses and ice carving demonstrations.

**Keith Dirham, Finance Director,** reported there are a few things on the agenda for tonight's meeting that he will comment on. Happy New Year to all and Happy Birthday to Mark Kolesar.

**Greg Huber, Law Director,** had no report.

**Chief Berarducci, Police Department,** had no report.

**Kimberly Marshall, Economic Development Director,** reported they have filled the Economic Development and Marketing Associate position on January 4<sup>th</sup> they hired Barbara Dzur and she started that day and is a welcomed addition.

**Jonathon Mendel, Planning Community Director,** reminded the community about the Boards and Commissions meeting on Thursday, January 14<sup>th</sup> at 6:00 p.m.

**Chief Painter, Fire Chief,** had no report.

**Mike Wright, Recreation Center Director,** reported the Medina Rec wants to remind the community that our Medina Youth Basketball League practices officially start tonight and will be Monday - Friday and the games will start Saturday & Sunday, January 23rd & 24th and will run thru March 12th.

We have 1,200 kids registered for the league this year so I want to thank the patrons in advance for their patience and understanding during these extremely busy months. Also, if everything goes

as planned, the 10 new additional handicapped parking spaces will be constructed within the next six months, as the contract is slated to be completed by June 30th.

**Jansen Wehrley, Parks and Recreation Director**, reported the Medina City Parks Department will be hosting the 2016 All Sports Open House on Saturday, January 16<sup>th</sup> 10 a.m. - 12 p.m. At the Medina Community Recreation Center at 855 Weymouth Rd. Players and Parents can register for sports with various youth organizations including Medina Youth Baseball, Medina Soccer, Medina Youth Grid Iron Football, Medina Girls Softball, Medina Lacrosse, Medina Miracle League as well as Medina Adult Softball. For more information contact us at 330-721-6950.

**Dan Gladish, Building Official**, reported that 2015 was a very busy and productive year for the Community Development Department. The Building Department issued 1,089 construction permits in 2015, this is more than the prior 5 years. What this represents is \$15.1 million dollars of reinvestment by both the residents and the businesses back into the community. 2016 is expected to be an even better year.

**Patrick Patton, City Engineer**, reported updates on the Ryan Road project stating they are back at it after taking a break over the holidays. Work has begun on North Huntington between Homestead and Highland, that area will be closed to through traffic for the next several months. It will be open for local residents, school busses and emergency access only.

The project for emergency connections with Medina County water system we have completed the first connection on Lake Rd. Next week the contractor will move and start work on the East Smith Rd. connection.

**Nino Piccoli, Service Director**, reported that winter has arrived! There were no call outs for November or December. Their first call out was just after the New Year and so far only one other time. We have had a few water breaks that the crews have worked and it's always our intent to have least disruptions and we appreciate the patience of customers.

**Council Approval of appointments:**

- Charter Review Commission: (All expiring 12/31/20)
- Harvey Carter – Ward 1
- Phebe Simpson – Ward 2
- Mike Hughes – Ward 3
- Shirley Laribee – Ward 4

Mr. Shields moved to approve council appointments to the Charter Review Commission, seconded by Mr. Kolesar. The roll was called and motion passed by the yea votes of P. Rose, J. Shields, J. Coyne, B. Hilberg, and M. Kolesar. D. Simpson abstained.

**Mayor's Appointments:**

- Business Development Committee – Don Simmons, expiring 12/31/19

Mr. Shields moved to approve the Mayor's appointment, seconded by Mr. Simpson. The roll was called and motion approved by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar and P. Rose.

**Utility Rate Review:**

Jim Monhollen (Financial), expiring 12/31/18  
John Ratkovich (Commercial), expiring 12/31/18  
Dave Mueller (Industrial), expiring 12/31/18  
Amy Higgins (Residential Property Renter), expiring 12/31/18

Mr. Shields moved to approve the Utility Rate Review members, seconded by Mr. Simpson. The roll was called and motion approved by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, P. Rose, and J. Shields.

JEDD Board – John Coyne, expiring 12/31/19

Mr. Shields moved to approve the JEDD Board member, seconded by Mr. Simpson. The roll was call and motion approved by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, P. Rose, J. Shields, and D. Simpson.

**Notices, Communications and Petition:**

**Liquor Permit:**

Mr. Shields moved not to object to the issuance of a New D-1 permit to Fred W. Albrecht Grocery Company, dba ACME Fresh Market, NW Corner of High Point Drive and SR3. Motion seconded by Mr. Simpson and approved by the yea votes of M. Kolesar, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

**Unfinished Business:** There was none.

**Introduction of Visitors:**

**Introduction and Consideration of Ordinances and Resolutions:**

**Ord. 1-16:**

**An Ordinance authorizing the Mayor to execute a License Agreement with Four Brothers Holding Company, LLC (PJ Marley's Restaurant) for the use of public owned land on Parcel #028-19B-20136.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 001-16, seconded by Mr. Simpson. Mr. Mendel stated this is a continuation of a request from PJ Marley's at 119 West Liberty Street to use an area of 300 sq. ft. city owned property for an outdoor dining deck. The roll was called and Ordinance/Resolution No. 001-16 passed by the yea votes of B. Hilberg, M. Kolesar, P. Rose, J. Shields, D. Simpson, and J. Coyne.

**Res. 2-16:**

**A Resolution authorizing an application for State assistance from the State Capital Fund to assist with construction of the Municipal Courthouse Expansion Parking Facility, supporting the Downtown Strategic Redevelopment Plan.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 002-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 002-16, seconded by Mr. Simpson. Mrs. Marshall explained the State legislator and the Governor's office will begin looking at State Capital Budget and funding requests from all the communities around the State and this request is for partial funding for the parking facility that would support the Municipal Court House Expansion Project and then also the Downtown Strategic Redevelopment Plan. We are requesting the emergency clause as the information is due to the legislators by January 15<sup>th</sup>. The roll was called on adding the emergency clause and was approved by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar and P. Rose. The roll was called and Ordinance/Resolution No. 002-16 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

**Res. 3-16:**

**A Resolution requesting the County Auditor to make Tax Advances during the year 2016 pursuant to Ohio Revised Code Section 321.34.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 003-16, seconded by Mr. Simpson. Mr. Dirham stated this is a formality but we have to formally request these advances each year so that the auditor can then pay us property taxes before the final settlement. The roll was called and Ordinance/Resolution No. 003-16 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and P. Rose.

**Ord. 4-16:**

**An Ordinance amending Ordinance No. 18-02, passed February 11, 2002, relative to Miscellaneous Processing Fees for the Medina Community Recreation Center.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 004-16, seconded by Mr. Simpson. Mr. Wright stated this is for authorization of the Recreation Center to charge an administrative fee of \$20.00 for patrons whose memberships were withdrawn by their own requests or a third party billing circumstance. These accounts require significant amount of time to process and this fee will help to defray those costs. The roll was called and Ordinance/Resolution No. 004-16 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, P. Rose, and J. Shields.

**Ord. 5-16:**

**An Ordinance amending Chapter 111, Section 111.09 of the Rules of Council of the codified ordinances of the City of Medina, Ohio relative to Committees: Designations; Appointments.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 005-16, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 005-16, seconded by Mr. Simpson. Mr. Rose came up with the idea of adding what's called the Emerging Technologies Committee. Mr. Rose stated a couple of things they have discussed already with the Mayor include the type of garbage truck we use as a possible technology, the various technologies we use to back up our data, transmit our data, work cooperatively with the County and the school district in using the IT department, drones were discussed. The emergency

clause is requested as there are already ideas needing to come before the committee. The roll was called on adding the emergency clause and was approved by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 005-16 passed by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, P. Rose, J. Shields, and D. Simpson.

**Ord. 6-16:**

**An Ordinance amending Ordinance No. 165-15, passed December 22, 2015.**

**(Amendments to 2016 Budget)** Mr. Shields moved for the adoption of Ordinance/Resolution No. 006-16, seconded by Mr. Simpson. The Mayor's office receives annually a donation from a local resident who is very appreciative of the flower urns that we have adorning the downtown and she makes this donation each year and so we ask City Council to appropriate it into the fund that the flower urns come from. The roll was called and Ordinance/Resolution No. 006-16 passed by the yea votes of M. Kolesar, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

**Council Comments:**

Mr. Simpson wished Mark Kolesar a Happy Birthday. He asked everyone to be patient with the services that the city provides for them. Look out for anyone in need, check on your neighbors and be kind.

Mr. Rose reminded residents to keep the fire hydrants free of snow.

Mr. Shields wished Mark Kolesar a Happy Birthday and thanked him for sharing it with council.

Mr. Coyne also extended Birthday wishes to Mark, as he is the youngest on Council. This Wednesday at 5:30 p.m. there will be a Council of the Whole meeting in the Multi-Purpose room to discuss the Court House Construction Manager at Risk. Some representatives from various construction companies will be there to educate us on the Construction Manager at Risk process and what that means.

**Adjournment:**

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

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Kathy Patton, CMC - Clerk of Council

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John M. Coyne, President of Council

**RESOLUTION NO. 7-16**

**A RESOLUTION AMENDING THE INTENSIVE SUPERVISION PROBATION GRANT EXTENSION AND FUNDING FOR THE MEDINA MUNICIPAL COURT THROUGH THE FISCAL YEAR 2016, AND DECLARING AN EMERGENCY.**

**WHEREAS:** Notice was received from the Ohio Department of Rehabilitation and Correction that the Intensive Supervision Probation Grant for the Medina Municipal Probation Department has been extended to June 30, 2016 at the estimated funding level of \$116,764.00; and

**WHEREAS:** Notice was received from the Ohio Department of Rehabilitation and Correction that the Intensive Supervision Probation Grant funding level for the Medina Municipal Probation Department has been increased by \$15,000.00 from \$116,764.00 to \$131,764.00.

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

**SEC. 1:** That the Intensive Supervision Probation Grant, FY15 Community Correction Act Grant Extension funding is hereby increased to \$131,764.00.

**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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that this increase in funding is effective retroactive to January 1, 2016, 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**

**Effective date – January 1, 2016**

Res. 7-16  
EXH. A

**ADDENDUM TO  
COMMUNITY-BASED CORRECTIONS PROGRAM  
408 SUBSIDY GRANT AGREEMENT**

This Addendum is between the State of Ohio, Department of Rehabilitation and Correction, and Medina. It modifies the fiscal year 2016 Community-Based Corrections Program 408 subsidy grant agreement in the amount of \$116,764.00. The grant award shall be increased by \$15,000.00 to \$131,764.00 effective on the date approved by the Deputy Director of the Division of Parole and Community Services in the Ohio Department of Rehabilitation and Correction. Total expenditures for Fiscal Year 2016 (July 1, 2015 to June 30, 2016) will not in any case exceed \$131,764.00.

Christopher Galli

Christopher Galli, Chief  
Bureau of Community Sanctions

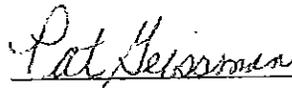


9 DEC 15

County Commissioner Date

Cynthia Mausser

Cynthia Mausser, Deputy Director  
Division of Parole and Community Services



12-09-2015

County Commissioner Date



12-9-2015

County Commissioner Date



**ORDINANCE NO. 8-16**

**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, AND DECLARING AN EMERGENCY.**

**WHEREAS:** Section 31.02 (B)(6) of the Salaries and Benefits Code of the City of Medina, Ohio presently reads as follows:

**(6) MUNICIPAL COURT GRANT POSITIONS**

|   |  | <u>Hourly Rate</u> |
|---|--|--------------------|
| 1 | Intensive Supervision Probation Officer* | \$24.52/hr.        |
| 1 | Secretary II (part-time)*                | \$16.00/hr.        |

\*Positions effective to June 30, 2016. The Intensive Supervision Probation Officer shall receive health care, vacation, sick and holiday benefits as set forth herein for full time employees. Position of Intensive Supervision Probation Officer may be full or part-time as dictated by grant.

(Ord. 69-12, Ord. 150-12, 128-13, 128-14, 90-15)

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

**SEC. 1:** That Section 31.02(B)(6) of the Salaries and Benefits Code of the City of Medina, Ohio shall be amended to read as follows:

**(6) MUNICIPAL COURT GRANT POSITIONS**

|   |  | <u>Hourly Rate</u> |
|---|--|--------------------|
| 1 | Intensive Supervision Probation Officer* | \$24.52/hr.        |
| 1 | Secretary II (part-time)*                | \$16.00/hr.        |
| 1 | <b>Group Facilitator (part-time)*</b>    | <b>\$23.50/hr.</b> |

\*Positions effective to June 30, 2016. The Intensive Supervision Probation Officer shall receive health care, vacation, sick and holiday benefits as set forth herein for full time employees. Position of Intensive Supervision Probation Officer may be full or part-time as dictated by grant.

(Ord. 69-12, Ord. 150-12, 128-13, 128-14, 90-15, 8-16)

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

**SEC. 4:** That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that the grant is effective as of July 1, 2015; 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**

Effective date: July 1, 2015

**ORDINANCE NO. 9-16**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR COMPETITIVE BIDS AND TO AWARD A CONTRACT TO THE SUCCESSFUL BIDDER FOR THE SAM MASI PARK PLAYGROUND SURFACING PROJECT.**

**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 Sam Masi Park Playground Resurfacing project, City Job #1016, 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 \$50,000.00, is available as follows: \$40,000.00 in Account No. 110-0302-54411 and \$10,000.00 in Account No. 104-0301-54411
- SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 4:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**

**ORDINANCE NO. 10-16**

**AN ORDINANCE AUTHORIZING THE EXPENDITURE OF \$66,906.18 TO THE MEDINA COUNTY COMMISSIONERS FOR THE REIMBURSEMENT TO THE BOND RESERVE FUND FOR THE MEDINA COUNTY PORT AUTHORITY FIBER NETWORK.**

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

**SEC. 1:** That the expenditure of \$66,906.18 to the Medina County Commissioners for reimbursement to the Bond Reserve Fund for the final payment for the Medina County Port Authority Fiber Network Project is hereby authorized per Ordinance No. 118-10, passed August 12, 2010.

**SEC. 2:** That the funds to cover this expenditure are available in Account No. 001-0707-56612.

**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

ORD. 16-16

# MEDINA COUNTY COMMISSIONERS

County Administration Building  
144 North Broadway  
Medina, Ohio 44256  
Phone 330-722-9204 Fax 330-722-9206

DATE: December 22, 2015

Bill To:  
Kelth Dirham, Finance Director  
City of Medina  
132 North Elmwood  
Medina, OH 44256

| DESCRIPTION  | AMOUNT              |
|--|---------------------|
| Reimbursement to Bond Reserve Fund for Medina Count Port Authority Fiber Project<br>Development Revenue Bonds, Series 2010A, 2010B, and 2010C<br><br>Amount Reimbursable by the City of Medina Per Agreement Dated August 23, 2010 | 66,906.18           |
| <b>TOTAL</b>   | <b>\$ 66,906.18</b> |

Please Make Check Payable to: Medina County Treasurer

And Remit to:  
Medina County Finance Department  
144 North Broadway  
Medina, Ohio 44256

Fiber Optic Reserve (pro forma as of 6/15/2015)

|   | Nominal<br>Percentage<br>Guarantee | Adjusted Draw<br>Percentage<br>Guarantee | Remaining<br>Max. Guaranty<br>Amount (2015) |
|---|------------------------------------|--|---|
| <u>Intended Ultimate Reserve Fund Responsibility (Begin @ 2014)</u> |                                    |  |   |
| Nominal Reserve Requirement   |                                    |  | \$ 1,188,165.00                             |
| Total Bond Reserve Fund   | \$ 1,381,250.00                    | \$ 1,381,250.00                          | \$ 1,381,250.00                             |
| Cascade Capital (\$250,000 max)                                     | 21.041%                            | 21.041%                                  | \$ -  |
| Brunswick City (2013-2014, 2015*)                                   | 16.00%                             | 12.633%                                  | \$ 71,964.80                                |
| Medina City (2013-2014, 2015*)                                      | 14.00%                             | 11.054%                                  | \$ 157,753.90                               |
| Wadsworth City (Dec 2012-Dec 2017)                                  | 5.00%                              | 3.948%                                   | \$ 22,489.00                                |
| Village of Seville (2013-2017) (\$11,881.65 max)                    | 1.00%                              | 1.000%                                   | \$ 3,765.51                                 |
| Village of Westfield Center (Dec 2012-Dec 2017)                     | 5.00%                              | 3.948%                                   | \$ 22,489.00                                |
| Sub-Total   | 62.04%                             | 53.625%                                  | \$ 278,462.21                               |
| Maximum Medina County   | 37.96%                             | 46.375%                                  |   |
| <u>Payment Dates</u>  |                                    | 12/1/2013                                | 1-Dec-15                                    |
| Debt Payment Due  |                                    |  | \$ 687,050.00                               |
| Available Amount (Interest Account)                                 |                                    |  | \$ (81,798.71)                              |
| Bond Reserve Fund Draw  |                                    |  | \$ 605,251.29                               |
| Bond Reserve Fund Interest Amount                                   |                                    |  | \$ -  |
| Medina County Obligation (100% 30 days < next Payment)              |                                    |  | \$ 605,251.29                               |
| Accrued MCFN Obligations to Medina County                           |                                    | \$ -                                     | \$ 1,990,714.74                             |
| Accrued Medina County SCPRs   |                                    |  |   |
| Accrued Interest on Medina County SCPRs                             |                                    |  |   |
| Accrued Principal of Bonds Repaid                                   |                                    | \$ 460,000.00                            | \$ 1,455,000.00                             |
| Debt of MCFN System (On Draw, Add County)                           | \$ 14,435,000.00                   | \$ 13,975,000.00                         | \$14,970,714.74                             |
| Net Unfunded Debt of System (Net Bond Reserve)                      | \$ 13,053,750.00                   | \$ 12,593,750.00                         | \$14,194,716.03                             |
| original  |                                    | 12/1/2013                                | 1-Dec-15                                    |
| Aggregate Pass-through SCPRs  |                                    |  |   |
| Aggregate Pass-through SCPR Interest                                |                                    |  |   |
| Net SCPR Obligations to Third Parties (Non-County)                  | \$ -                               | \$ -                                     | \$ 711,545.34                               |
| Net Unfunded Third-Party (Non-County) Debt of MCFN System           | \$ 13,053,750.00                   | \$ 12,593,750.00                         | \$12,915,546.63                             |
| Confirmation (Bonds Less Reserve Plus Non-County SCPR Obs)          | \$ 13,053,750.00                   | \$ 12,593,750.00                         | \$12,915,546.63                             |
| Aggregate Debt to Medina County                                     | \$ -                               | \$ -                                     | \$ 1,279,169.39                             |
| <u>Medina County Reimbursements</u>                                 |                                    |  |   |
| Cascade Capital Escrow Draw (Max. \$250,000)                        | 21.041%                            |  | \$ -  |
|   |                                    | Net County Payment                       | \$ 605,251.29                               |
| <u>County Reimbursement Agreements</u>                              |                                    |  |   |
| Brunswick City Reimbursement (Max. Total \$380,212)                 | 12.633%                            |  | \$ 76,464.21                                |
| Medina City Reimbursement   | 11.054%                            |  | \$ 66,906.18                                |
| Wadsworth City Reimbursement  | 3.948%                             |  | \$ 23,895.06                                |
| Village of Seville Reimbursement (Max. Annual \$11,881.65)          | 1.000%                             |  | \$ 3,765.51                                 |
| Village of Westfield Center Reimbursement                           | 3.948%                             |  | \$ 23,895.06                                |
| Sub-Total   | 53.625%                            | \$ 280,886.34                            | \$ 194,926.03                               |
| Total Reimbursed Amount and percentage if Different                 |                                    |  | \$ 194,926.03                               |
| Medina County (Unreimbursed)  | 46.375%                            | \$ 242,915.82                            | \$ 410,325.26                               |

\$5,090,000  
Medina County Port Authority  
Taxable Development Revenue Bonds, Series 2010A  
(Medina County Fiber Network Project)  
(Recovery Zone Economic Development Bonds)

| Maturity Date    | CUSIP Number |
|------------------|--------------|
| December 1, 2020 | 584730 AD7   |
| December 1, 2030 | 584730 AA3   |

\$7,925,000  
Medina County Port Authority  
Development Revenue Bonds, Series 2010B  
(Medina County Fiber Network Project)  
(Recovery Zone Facility Bonds)

| Maturity Date    | CUSIP Number |
|------------------|--------------|
| December 1, 2020 | 584730 AES   |
| December 1, 2025 | 584730 AF2   |
| December 1, 2030 | 584730 AB1   |

\$1,420,000  
Medina County Port Authority  
Taxable Development Revenue Bonds, Series 2010C  
(Medina County Fiber Network Project)

Maturity Date: June 1, 2016  
CUSIP Number: 584730 AC9

**SPECIFIED EVENT NOTICE**

**To:** Municipal Securities Rulemaking Board (EMMA System)

**Re:** Unscheduled Draw on Reserve Fund for Bonds Identified Above  
(After Reinstatement of Each Prior Bond Reserve Fund Draw)

Each of the undersigned, as an "Obligated Person" with respect to the revenue bonds identified above, issued by the Medina County Port Authority ("Authority") and dated December 30, 2010 ("Bonds"), has entered into a separate Continuing Disclosure Agreement related to the Bonds (collectively "Continuing Disclosure Agreements") with The Huntington National Bank, as Trustee ("Trustee") under the Trust Indenture dated as of December 1, 2010 between the Authority and Trustee (as supplemented and amended, "Indenture") and, pursuant to Section 3(a)(i) of each respective Continuing Disclosure Agreement, hereby provides notice of the following "Specified Event" (that term and any other term used but not defined herein are used as such terms are defined for purposes of the Continuing Disclosure Agreements):

On December 1, 2015, the Trustee made an unscheduled draw in the amount of \$605,251.29 on the Bond Reserve Fund held by the Trustee under the Indenture in order to timely pay the principal of and interest on the Bonds due on December 1, 2015, which principal and interest were timely paid in accordance with the Indenture. That unscheduled draw was made after the full and timely reinstatement of the Bond Reserve Fund (to \$1,381,250.00) pursuant to the Bond

Reserve Fund Non-Tax Revenue Contribution Agreement dated as of November 8, 2010 by and among the County of Medina, Ohio ("County"), the Authority and the Trustee ("County Contribution Agreement") and was necessary because moneys in the Principal Payment Account and Interest Payment Account of the Bond Fund, or available for transfer thereto in accordance with the Indenture (including from net revenues of the Fiber Network), were insufficient on December 1, 2015 to pay the principal and interest due (in an aggregate amount of \$687,050.00) with respect to the Bonds on that date. After such draw, \$775,998.71 remained on deposit to the credit of the Bond Reserve Fund.

In accordance with the Indenture and the County Contribution Agreement, the Trustee has notified the County of such draw and of the amount necessary, subject to appropriation by the Board of County Commissioners from any available non-tax revenues of the County in accordance with the Indenture and the County Contribution Agreement, to restore the balance in the Bond Reserve Fund to an amount equal to the Bond Reserve Requirement (defined in the Indenture and currently \$1,381,250.00) for the Bonds.

Each of the persons identified below is authorized to provide this Specified Event Notice on behalf of the respective Obligated Person and has authorized its filing. No representation, warranty, assurance or guaranty is made as to the accuracy or correctness of any of the CUSIP numbers identified above in this Notice.

Medina County Port Authority  
By Ronald H. Paydo, Chair

County of Medina, Ohio  
By Scott Miller, County Administrator

Medina County Economic Development Corporation  
By Victoria Tift, President

Dated: December 14, 2015

**ORDINANCE NO. 11-16**

**AN ORDINANCE AMENDING ORDINANCE NO. 51-15,  
PASSED APRIL 27, 2015, RELATIVE TO THE 2015  
CONCRETE STREET REPAIR PROGRAM.**

**WHEREAS:** Ordinance No. 51-15, passed April 27, 2015, authorized the 2015 Concrete Street Repair Program (City Job #1000) with a contract amount of \$600,000.00; and

**WHEREAS:** After the contract was awarded, it was determined that due to rapidly deteriorating condition, an immediate repair of a large section of West Smith Road had to be completed that was not included within the original contract.

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

**SEC. 1:** That the contract amount authorized in Ordinance No 51-15, passed April 27, 2015, is hereby amended from \$600,000 to \$604,500 for the 2015 Concrete Street Repair Program, City Job #1000.

**SEC. 2:** That the funds to cover this change are available as follows: \$4,500.00 in Account No. 108-0610-54411.

**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**

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**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. 12-16**

**AN ORDINANCE AUTHORIZING AN EXPENDITURE OF \$40,547.14 TO THE MEDINA COUNTY PARK DISTRICT FOR THE CITY'S SHARE OF THE LAKE MEDINA TO REAGAN PARKWAY TRAIL CONNECTOR PROJECT.**

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

**SEC. 1:** That the expenditure of \$40,547.14 is hereby authorized to the Medina County Park District for the City's share of the Lake Medina to Reagan Parkway Trail Connector Project.

**SEC. 2:** That the funds to cover this expenditure are available in Account No. 301-0707-54411.

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

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

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

**President of Council**

**ATTEST:** \_\_\_\_\_

**APPROVED:** \_\_\_\_\_

**Clerk of Council**

**SIGNED:** \_\_\_\_\_

**Mayor**

ORD. 12-16

# INVOICE

## Medina County Park District

6364 Deerview Lane \* Medina, OH 44256  
(330) 722-9364 \* Fax: (330) 722-9366

December 14, 2015

To: City of Medina  
132 North Elmwood  
Medina, OH 44256

| <u>Date</u>   | <u>Description</u>             | <u>Amount</u>                 |
|---|--------------------------------|-------------------------------|
| 12/14/15  | Lake Medina Trail Construction | \$40,547.14                   |
|   |                                | <b>Total Due: \$40,547.14</b> |
| Due and payable upon receipt                                    |                                |                               |
| <b>PLEASE MAKE CHECK PAYABLE TO MEDINA COUNTY PARK DISTRICT</b> |                                |                               |

**ORDINANCE NO. 13-16**

**AN ORDINANCE AMENDING ORDINANCE NO. 165-15,  
PASSED DECEMBER 22, 2015. (Amendments to 2015 Budget)**

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

**SEC. 1:** That Ordinance No. 165-15, passed December 22, 2015, shall be amended by the following additions:

| <u>Account No./Line Item</u>                     | <u>Additions</u> |
|--|------------------|
| 106-0103-51129 (Donation to Special Police Unit) | 1,000.00 *       |
| 514-0541-56612 (Refund to Medina Recycling)      | 12,833.32 *      |

**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