

MEDINA CITY COUNCIL
Monday, January 08, 2018

Public Hearing (7:30 p.m.)

To consider rezoning the properties at 124 and 126 Harding Street from R-3, High Density Residential to C-3, General Commercial.

For: Mr. Mendel stated the Planning Commission reviewed the request and recommended the requested rezoning to the City Council.

Mark Powers – resides at 25725 Osborn in Columbia Station and is the current owner of Towne Auto Sales since 1991. ODOT is taking a portion of their property away resulting in him losing 20ft. at the corner of his lot. This will take his lot down to 26 spaces. Mr. Kolesar asked how many additional spaces the rezoning would allow and Mark stated about 20. Mr. Lamb stated he spoke with some of the neighbors and about this, and did not receive any negative feedback. He stated he feels it's a pretty impressive improvement.

Against: Mr. Kolesar stated he is struggling with the parcel that's closest to the other residential properties and how is that going to impact their quality of life.

The Public Hearing was closed at 7:38 p.m.

Opening:

Medina City Council met in regular, open session on Monday, January 8th, 2018. The meeting was called to order at 7:41 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. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, J. Coyne, and M. Kolesar.

Also present were the following members of the Administration: Mayor Dennis Hanwell, Keith Dirham, Greg Huber, Patrick Patton, Nino Piccoli, Lt. Ingersoll, Jonathan Mendel, Dan Gladish, Kimberly Marshal, and Jansen Wehrley

Minutes:

Mr. Shields moved that the minutes from the regular meeting on December 11, 2017 and the January 3, 2018 Organizational meeting, as prepared and submitted by the Clerk be approved. The roll was called and the minutes were approved by the yea votes of L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, J. Coyne, M. Kolesar, and B. Lamb.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated they met prior to the council meeting and will again meet in two weeks prior to the next council meeting.

Health, Safety & Sanitation Committee: Mr. Kolesar stated there is a meeting scheduled on Wednesday, January 17th at 5:30 p.m. at City Hall.

Public Properties Committee: Mr. Shields stated there was one Request for Council Action for Public Properties so we are working on scheduling a meeting.

Special Legislation Committee: Mr. Lamb stated he scheduled a meeting for Tuesday, February

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20th at 7 p.m. to discuss extended term limits and a meeting on Tuesday, February 27th at 7 p.m. to discuss the possible Expansion Proposal for the Historic District.

Streets & Sidewalks Committee: Mr. Simpson stated they are trying to schedule a meeting a half hour prior to the next Finance Meeting on January 22nd.

Water & Utilities Committee: Mrs. Parnell-Cavey had no report.

Emerging Technologies Committee: Mr. Rose stated they held a meeting in December and currently there are no other meetings scheduled.

Requests for Council Action:

Finance Committee

- 18-001-1/8 – Budget Amendments
- 18-002-1/8 – RFP/RFQ CHIP Consultant
- 18-003-1/8 – Expenditure Over \$15,000 – Landmark Machinery – Parks
- 18-004-1/8 – Purchase 2017 Chevrolet LCF4500 – Parks
- 18-005-1/8 – Adopt Credit Card Policy for City of Medina
- 18-006-1/8 – 2018 Material Bids
- 18-007-1/8 – Revocable Use Permit – 960 Racoa Place – Parks Dept.
- 18-008-1/8 – Payment – S. Prospect Emergency Water Line Lateral Transfers

Public Properties Committee

- 18-009-1/8 – Medina Rotary Club Donation – 911 Memorial

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported the following:

- 1) Welcome back to Council after December break
- 2) Welcome to Ward One Councilwoman - Laura Parnell-Cavey
- 3) Bicentennial Events:
 - Medina Library Saturday, January 13th at 1 p.m. - Founders
 - Tours of County Courts, Sunday, January 21st 1 p.m. – 3 p.m.
- 4) Sunday, January 14th 4 p.m. to 5:30 p.m. - MLK Celebration at Heartland Community Church, 3400 Weymouth Rd., Medina.
- 5) Thursday, February 1st 7 p.m. - Four Chaplains Service at United Church of Christ Congregational, 217 East Liberty St., Medina. Four Chaplains Remembrance Service “Recognizing Selfless Service to One Another, Within Our Community, Within Our Families, and Within Our Hearts. Sponsored by American Legion Post 202.
- 6) Annual Ice Festival - Medina Public Square February 16 – 19th

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Keith Dirham, Finance Director, reported that he has been a lot of questions about the switch from CCA to RITA. There is not a change in rates, or who is required to pay, it's only a change in who is collecting the tax for the City of Medina. We don't have our own department, we have contracted that with CCA in Cleveland for a number of years and now we are switching to RITA. If you have anything to file or pay it now needs to be paid to RITA. There were questions about estimated payments made to CCA, and RITA will have that information so when you file your 2017 taxes they will know about the estimates you paid to CCA.

Greg Huber, Law Director, had no report.

Chief Kinney, Police Department, had no report.

Kimberly Marshall, Economic Development Director, welcomed everyone back from break and also Councilwoman Laura Parnell-Cavey to Medina City Council. Economic Development Committee will have their first meeting of the year tomorrow at 8 a.m. here at City Hall. Ribbon cutting 2 p.m. on January 19th for Bellfaire JCB - 807 E. Washington St. Suite 150.

Jonathan Mendel, Planning Community Director, had no report.

Lt. Ingersoll, Fire Department, had no report.

Mike Wright, Recreation Center Director, - Absent

Jansen Wehrley, Parks and Recreation Director, had no report.

Dan Gladish, Building Official, presented his 2017 year end update. Registered 877 contractors, and Issued 1,402 Building Permits.

Patrick Patton, City Engineer, had no report.

Nino Piccoli, Service Director, stated the water break on December 29th was pretty significant in nature. Located just east of Summa Lake Medina Medical Facility on State Route 18, they received about 200 calls shortly after 4 a.m. A reconfiguring of the valves allowed residents to get water. Shout out to Mayor Hanwell, the Water Supervisors, Water Maintenance, Doug Eastwood, Glenn Hughes from Medina Excavating and his crew, Osborne Medina – 12 dump truck loads of stone, and our dispatch over in PD fielding numerous calls, Chief Kinney, Lt. Birckbichler and the officers for the reverse call to notify the residents in the affected area.

Motion of Council members to authorize designee for public records training

Motion to designate Clerk of Council, Kathy Patton to act as the Mayor and Council's designee to attend public records training as required by Sections 149.43 and 109.43 of the Ohio Revised Code. J. Shields moved to approve, seconded by D. Simpson. The roll was called and the motion approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, M. Kolesar, B. Lamb, and L. Parnell-Cavey.

Notices, Communications and Petitions:

Liquor Permit:

Not to object to the transfer of a D1, D2 and D6 permit from Buehler Food Markets Inc. Forest Meadows Dr. to Styx Acquisition LLC, 275 Forest Meadows Dr. Mr. Shields moved not to object, seconded by Mr. Simpson. The roll was called and approved by the yeas of J. Shields, D. Simpson, J. Coyne, M. Kolesar, B. Lamb, L. Parnell-Cavey, and P. Rose.

Liquor Permit:

Not to object to a new D1 permit to North Rose Management Group LLC, 17 Public Square. Mr. Shields moved not to object, seconded by Mr. Simpson. The roll was called and approved by the yeas of D. Simpson, J. Coyne, M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, and J. Shields.

Unfinished Business:

There was none.

Introduction of Visitors:

Colleen Swedyk – Medina County Recorder for the past 11 years and 13 years as Fiscal Officer of Hinckley Township – She stated she is running for Commissioner in 2018 and wants new solutions and new ideas.

Mr. Lamb suggested that if she is elected, the County Commissioner Meetings should be held in the evening when they are more accessible to the public.

Laura Toth – Director Medina County Office for Older Adults. Ms. Toth explained that there is an Ordinance on the agenda this evening Council will be voting on regarding the Office of Older Adults. In reference to the money and how it would be spent - she presented some numbers from September 2017 and November 2017 on local costs for meal services to Medina City residents totaling \$4,600.00 multiply that by 6 to get a yearly estimate of \$27,600.00. A two month total for local costs on curb to curb transportation for Medina City Residents was \$4,742.00 multiplied by 6 yearly estimate is \$28,452.00 and these are only 2 totals for Direct Services. We provide many other services where we don't ask or request any fund support for.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 001-18:

An Ordinance amending Section 133.01 of the codified ordinances of the City of Medina, Ohio relative to the Director of Law Association Memberships. Mr. Shields moved for the adoption of Ordinance/Resolution No. 001-18, seconded by Mr. Simpson. This membership would approve the North East Ohio Law Director's Association as a group that he might belong to and the cost is \$75.00 per year. The roll was called and Ordinance/Resolution No. 001-18 passed by the yeas of J. Coyne, M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, and D. Simpson.

Ord. 002-18:

An Ordinance authorizing the Mayor to execute an Agreement with the Medina County Combined General Health District to provide Storm Water Runoff Testing Services on behalf of the City of Medina for the City's NPDES Permit. Mr. Shields moved for the adoption of Ordinance/Resolution No. 002-18, seconded by Mr. Simpson. Mr. Patton stated the city is required by the Ohio EPA to maintain the NPDES Permit there are many facets to it and one of which is the storm water runoff testing we are required to have an agreement in place. This will be a 5 year renewal. The roll was called and Ordinance/Resolution No. 002-18 passed by the yea votes of M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Res. 003-18:

A Resolution requesting the County Auditor to make tax advances during the Year 2018 pursuant to Ohio Revised Code Section 321.34. Mr. Shields moved for the adoption of Ordinance/Resolution No. 003-18, seconded by Mr. Simpson. Mr. Dirham stated this is done every year they have to request these in order for them to be offered. The roll was called and Ordinance/Resolution No. 003-18 passed by the yea votes of B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, J. Coyne, and M. Kolesar.

Ord. 004-18:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the East Smith Road Reconstruction Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 004-18, seconded by Mr. Simpson. Mr. Patton stated this will rebuild East Smith Road, a complete reconstruction between Court Street and Jefferson St. We were successful in getting a \$450,000 grant to help pay for the cost of this project that includes new waterlines, storm sewer, and new pavement in that section. The roll was called and Ordinance/Resolution No. 004-18 passed by the yea votes of L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, J. Coyne, M. Kolesar, and B. Lamb.

Ord. 005-18:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the Champion Creek Multi-Purpose Path and Streetscape Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 005-18, seconded by Mr. Simpson. Mr. Patton stated this project has several different facets. One is to install a paved multi-purpose path from 406 S. Broadway to Smith including bike lanes on South Court St. from Lafayette down to Sturbridge also including signage and shared use of roadways in the southern downtown area. Our grant dollars will be a little over \$287,000. Mr. Kolesar feels this is a positive impact for this area of the city adding adequate pedestrian access, although he has safety concerns with the bike lane. The roll was called and Ordinance/Resolution No. 005-18 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, M. Kolesar, B. Lamb, and L. Parnell-Cavey.

Ord. 006-18:

An Ordinance authorizing the expenditure of \$20,000.00 to the Medina County Office of Older Adults for meals and related services for the year 2018. Mr. Shields moved for the adoption of Ordinance/Resolution No. 006-18, seconded by Mr. Simpson. Mayor Hanwell

mentioned that Laura provided a background of services being provided to our seniors. The \$20,000 he and Councilman Kolesar jointly ask Council to appropriate is not near the amount of money that is being spent on senior services by this office. He feels we owe this to our seniors and he respectfully asks for councils support. Mr. Kolesar stated our senior population continues to grow and there is more need every year. He feels this facility is a God send to have within our city borders. Mr. Simpson stated he will support this office because it has been in the same situation that every municipality of the State of Ohio, and about every school system, where the funds that they receive from the State offices and the Federal offices as revenue have been decreased in the last several years. Mr. Lamb stated more importantly to him is the food, when you're hungry and you don't have food or unable to get out to get food if you were creating a hierarchy of what really mattered the food would probably be right at the top. Mr. Rose is voting against for several reasons, there is nothing in the wording of this ordinance that stipulates that the money will be spent on Medina residents only. He can't let Medina dollars go to the County and let it be spent wherever. There are other resources for food. He doesn't think it is right for the city to be using money that will in absolute form is our responsibility to spend for the direct benefit of the city. He will donate by check personally but can't do it with city dollars. Mr. Coyne will be voting no also, but not that he doesn't think the need is there, he knows there is a need. The question he struggles with is that there are many other nonprofit organizations throughout the County that serve the City residents and are in need of funds also and feels we should look at those various other organizations also and maybe the \$20,000 that is allocated to the Medina County Office of Older Adults can be shared with those such as Robby's House and the opioid problem we have throughout the county and in the city, we have young people that go to school each day hungry and could use some money to help them become a better citizen. The roll was called and Ordinance/Resolution No. 006-18 passed by the yea votes of J. Shields, D. Simpson, M. Kolesar, B. Lamb, and L. Parnell-Cavey.

Ord. 007-18:

An Ordinance amending Ordinance No. 177-17, passed December 11, 2017. (Amendments to 2018 Budget) Mr. Shields moved for the adoption of Ordinance/Resolution No. 007-18, seconded by Mr. Simpson. Mr. Dirham stated the reason for an amendment this early in the year is that these are donations that have come in and we have to have appropriations to have authority to spend those once they come in. The roll was called and Ordinance/Resolution No. 007-18 passed by the yea votes of D. Simpson, J. Coyne, M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, and J. Shields.

Ord. 008-18:

An Ordinance adopting a Purchasing Card Policy for the City of Medina. (Subject to Law Director's final approval) Mr. Shields moved for the adoption of Ordinance/Resolution No. 008-18 subject to final review by the Law Director, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 008-18, seconded by Mr. Simpson. Mr. Dirham stated this policy will allow us to have credit cards. The roll was called on adding the emergency clause and was approved by the yea votes of M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 008-18 passed by the yea votes of J. Coyne, M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, and D. Simpson.

To be added to the agenda:

Mr. Shields moved to add Ord. 9-18 to the agenda, seconded by Mr. Simpson. The roll was called and Ordinance 9-18 was approved to be added to the agenda by the yea votes of M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 009-18:

An Ordinance authorizing the Mayor to enter into a Commercial Card Account Agreement with the Huntington National Bank pertaining to a Credit Card Account and MasterCard branded purchasing cards for the City of Medina. (subject to Law Director's final approval)

Mr. Shields moved for the adoption of Ordinance/Resolution No. 009-18 after final approval of the Law Director, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 009-18, seconded by Mr. Simpson. The roll was called on adding the emergency clause and was approved by the yea votes of L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, J. Coyne, M. Kolesar, and B. Lamb. The roll was called and Ordinance/Resolution No. 009-18 passed by the yea votes of B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, J. Coyne, and M. Kolesar.

Council Comments:

Mr. Simpson welcomed Laura Parnell-Cavey to joining them as a fellow council person. Dennie thanked all the department heads and their staff for their work during this brutally cold winter. He would like to have another luncheon in May to celebrate them. He took a moment to ask everyone to just be kind to everyone, it could make a big difference.

Mr. Kolesar also welcomed Laura. He spoke of his Father-in-Law Jerry Lash who just stepped down from the Planning Commission Board and served there for 20 years and before that about 10 years on Board of Zoning Appeals. He thanked Jerry and stated he appreciates all citizens out there that really impact our community, and feels sometimes they don't get the recognition they deserve.

Mark stated we just went through a bitter cold spell with our weather and if residents see pets left outside in this bitter cold with owners not bringing their animals in and you are worried about calling somebody to get it taken care of please call me, 330-725-6993. I will take care of it.

Mr. Lamb welcomed Laura as well. Bill also spoke of people contributing to this community, the real heart and soul of how we operate and so successfully so, it's because of this broad participation of the community in City government and community affairs. One of the wonderful thing about how City Council operates is everybody works together while we don't always agree on the particulars of the vote and move forward.

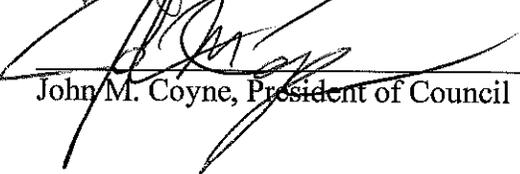
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Adjournment:

There being no further business before Council, the meeting adjourned at 8:25 p.m.



Kathy Patton, CMC - Clerk of Council



John M. Coyne, President of Council