

MEDINA CITY COUNCIL
Monday, January 22nd, 2018

Opening:

Medina City Council met in regular, open session on Monday, January 22, 2018. 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 L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, J. Coyne, and M. Kolesar. B. Lamb was absent.

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

Minutes:

Mr. Shields moved that the minutes from the regular meeting on January 8, 2018 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 P. Rose, J. Shields, D. Simpson, J. Coyne, M. Kolesar, and L. Parnell-Cavey.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated they met prior to tonight's Council meeting and will meet again in two weeks.

Health, Safety & Sanitation Committee: Mr. Kolesar stated they had a meeting last week and there is one item on the agenda that came from that meeting.

Public Properties Committee: Mr. Shields stated they met last week on the 17th and there is one item that went to Finance and will be on a future Council agenda. He will be scheduling a joint meeting with the Cemetery Commission soon.

Special Legislation Committee: Mr. Lamb was absent and had no report.

Streets & Sidewalks Committee: Mr. Simpson stated they met this evening and no further meetings are scheduled at this time.

Water & Utilities Committee: Ms. Parnell-Cavey stated they have yet to meet for this year and no meetings have yet been scheduled.

Emerging Technologies Committee: Mr. Rose had no report.

Requests for Council Action:

Finance Committee

18-010-1/22 – Budget Amendments

18-011-1/22 – Expenditure Over \$15,000 – Vance's – Police Dept.

18-012-1/22 – Expenditure – General Liability Insurance – USI Midwest

18-013-1/22 – Fair Housing Agreement – Medina County Fair Housing

18-014-1/22 – MOU for Transit Services

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18-015-1/22 – Income Tax Ordinance Update
18-016-1/22 – Expenditure Over \$15,000 – Sturgess Construction – Parks
18-017-1/22 – Spring Grove Cemetery Columbarium Wall
18-018-1/22 – Expenditure – Wingfoot Tire Systems – Service

Streets & Sidewalks Committee

18-019-1/22 – Mid-Street Crosswalk Safety in Historic District

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported the following:

Mayor Hanwell read a Proclamation for Mr. Gerald Lash for his many years of service to the community.

- 1) Bicentennial Events - Medina Library Saturday, January 13th 1 p.m. - founders program went well.
- 2) Sunday, January 14th- 4 p.m. to 5:30 p.m. - MLK Celebration at Heartland Community Church, 3400 Weymouth Rd., Medina, well attended.
- 3) Thursday, February 1st at 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.
- 4) Annual Ice Festival - Medina Public Square - February 16-19, 2018.
- 5) Black History Month Celebration at Second Baptist Church, 451 Bronson St., Thursday, February 22nd at 7 p.m. Overflow parking at corner of Medina Street and Bronson at High Voltage Indoor Karting.

Keith Dirham, Finance Director, reminded residents they are required to file income tax returns with the City. We have switched income tax collections from CCA to RITA so all filings after January 1st go to RITA. Yes you file 4th quarter reconciliations with RITA because they will have the information from CCA.

Greg Huber, Law Director, thanked Jerry Lash and said he has served with him on the Airport Commission and that Jerry was thoughtful and addressed problems with a great deal of common sense every time. It was a privilege to work with him.

Chief Kinney, Police Chief, thanked Mr. Lash for his service to the community. Update on the K-9 Program – 3 Dogs have been sent over from Europe and they are currently at the trainer. We are going through a process of evaluating all three dogs to pick one. Once the dog is chosen, the handler will go to the trainer for 1 ½ months beginning sometime in February. Hopefully in early April we should have a certified dog on the road.

Kimberly Marshall, Economic Development Director, had no report.

Jonathon Mendel, Planning Community Director, thanked Mr. Lash for his service to the City and community.

Chief Painter, Fire Chief, stated that because of the expansion of the Fire District with Medina Township, it triggered a re-evaluation by ISO the Insurance Service Organization of our fire protection abilities. He is happy to announce they received an email from them and we will remain a class 3. Montville and Medina Township will also go up to a class 3 and in their non-hydrant areas - it will go from an 8 to a 5, and this is an improvement all the way across the board for both the communities. ISO means Insurance Service Organization and they test our ability to fight fires and that's how they rate all your insurances, hopefully improving your insurance rates.

Mike Wright, Recreation Center Director, stated the Medina Rec is again offering a \$3.00 senior day pass rate from January 1st thru March 31st so seniors can come in from the cold and exercise at the Rec. They are having an Open House on Monday, February 19th (President's Day) where patrons can bring in a non-perishable food item from 1 p.m.- 4 p.m. and get into the Rec for free! There will be drawings for great prizes, inflatables, swimming, and a toddler open gym set up. All food items will be donated to Feeding Medina County. Lastly, the next Rec Advisory Board will be Thursday, February 15th, at 7:30 a.m. at the Rec Center.

Jansen Wehrley, Parks and Recreation Director, announced they have their seasonal maintenance positions posted on the Civil Service Website at www.medinaoh.org. Applications will be accepted either at the Civil Service Office or in the Parks Department Office at 775 East Washington Street until March 30th. Jansen expressed his thanks to Parks Superintendent Don LeHotan who will be retiring effective the end of this month.

Dan Gladish, Building Official, had no report.

Patrick Patton, City Engineer, congratulated Jerry on 35 years of service to the community. The Airport Taxiway Project is out to bid. That project will reconstruct the taxiway at the north-south taxiway at the Medina Airport.

We are in the public notification process for our Champion Creek Multi-Purpose Path which includes the State Route 3 bike lanes.

Nino Piccoli, Service Director, also thanked Mr. Lash for his dedication and commitment to the City and the community.

Mayoral appointment:

Uptown Park Advisory Committee – Dave McCarthy – expiring 12/31/20

Mr. Shields moved to approve, seconded by Mr. Simpson. The roll was called and the appointment was approved by the yea votes of J. Shields, D. Simpson, J. Coyne, M. Kolesar, L. Parnell-Cavey, and P. Rose.

Notices, Communications and Petitions:

There were none.

Unfinished Business:

There was none.

Introduction of Visitors:

Keith Racy resides at 908 Laurel Glens Dr. and he is here on behalf of Sustainable Medina County, it is a group of Republicans and Democrats. We all just want to live on un-poisoned land and that's what brings them together. He is concerned that within ten miles of the City of Medina there is a compressor station for the Nexus pipeline going up that will spew 77 tons of known toxins and who knows how many tons of unknown toxins that science has not established toxicity standards for yet. He spoke of respiratory issues this will cause especially if you or your family within a 10 mile radius of this, and how we aren't even getting the benefits of the pipeline because the natural gas is being sold in Canada.

Patricia Walker, resident of Medina whole-heartedly agrees with Reverend Racy but that is not why she is here tonight. She came to thank City Council, the Mayor and all the people for the money and support for the Bicentennial Committee. We had 272 people come to the last event with Mr. Rose to tour the Court Houses. She thanked Roger Smalley, who is the chairman of the committee, for his hard work. She spoke of the next event at the Medina Library on Saturday, January 27th from 11 a.m. – to 3 p.m. for History Day. There will be Historical Societies from around Medina County and they are going to have exhibits and booths for people to come and find out what different societies are doing throughout the County. There will be another event on February 10th at the Grace Drake Center at 1 p.m., a program on the Underground Railroad. The Western Reserve Historical Society along with other people from our committee, will be presenting this program. For more information you can go to www.Medina200.com and see all the events or go to Medina 200 on Facebook.

Kathy Jones also spoke regarding the compressor station. Stating our children have no voice and she feels that we all will be affected from the air toxins. Kathy asked if City Council would be willing to donate any money to Sustainable Medina County. Mr. Coyne stated they can talk about it. Kathy passed a basket around for donations.

Mr. Huber stated in his capacity as a private attorney, he represented many of the people who are affected by the Nexus Pipeline. This pipeline crosses the western part of the farm that has been in his family for three generations and as a result it cost him to become involved. Our State and Federal Legislators have done little to nothing to regulate where these pipelines go in such a way that individual people aren't essentially saddled with what potentially is a dangerous situation. The regulations by and large were created in the early 50's that dealt with 8 and 10 inch lines that didn't carry the kind of high pressure that you see in the compressor stations that they build now. The pipelines have grown in size, and the blast zone for a pipeline explosion with the big pipelines is a third of a mile, and that's well established. The regulations have not been improved since the 50's to provide any setback from a person's property or their house with respect to the location of

these pipelines, with little effort to put the pipelines in what would seem to be a better thought out energy corridor. They essentially can put the pipelines wherever they want and they will go in a place that is the least expensive to the energy company. The politicians by and large receive great sums of money from the energy industry, and there has been no willingness to look at these issues in such a manner that a better common sense resolution of these issues can be found. We need to do much better than that, because these pipelines need to be placed in better places than right next to your house.

Mary Emhoff from Brunswick Hills is concerned because of the pipeline for her son and grandkids that live in Medina. What she is asking is to help support them in is to help pay for a study to look into and see if we are in danger from the compressor station.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 010-18

An Ordinance authorizing the Mayor to solicit Request for Qualifications (RFQ's)/Request for Proposals (RFP's) for Consultant Services for the FY18 City of Medina Community Housing impact and Preservation Program (CHIP) and Community Development Block Grant (CDGB) Grant Program Applications, including administration and implementation, and to award RFQ/RFP to the successful bidder. Mr. Shields moved for the adoption of Ordinance/Resolution No. 010-18, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 010-18, seconded by Mr. Simpson. Mr. Mendel stated this is to allow the Mayor to solicit and accept requests for qualifications and requests for proposals for consultant services to help the City manage and execute the administration of our various upcoming CHIP and Block Grant Programs. Emergency clause is requested due to needing to have this in place as soon as possible to help execute the grants. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, M. Kolesar, Parnell-Cavey, P. Rose, J. Shields, and D. Simpson. The roll was called and Ordinance/Resolution No. 010-18 passed by the yea votes of D. Simpson, J. Coyne, M. Kolesar, L. Parnell-Cavey, P. Rose, and J. Shields.

Ord. 011-18

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for a one year supply of the various kinds of maintenance materials needed for the streets and water lines, including but not limited to salt, the chemicals for use in the treatment of water, and water meters to be used by the various departments of the City of Medina, Ohio. Mr. Shields moved for the adoption of Ordinance/Resolution No. 011-18, seconded by Mr. Simpson. Mr. Piccoli stated this is for various maintenance materials utilized by the Service Department. The roll was called and Ordinance/Resolution No. 011-18 passed by the yea votes of M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 012-18

An Ordinance authorizing the Mayor to execute a Revocable Use Permit with Charles Dale Novicky to use or occupy the framed shed located on City Park property known as City Lot

No. 3248, adjacent to the residence at 960 Racoa Place. Mr. Shields moved for the adoption of Ordinance/Resolution No. 012-18, seconded by Mr. Simpson. Mr. Wehrley stated they were made aware of an encroachment on Park Property. They spoke with the resident and advised them that their shed structure was on City property. The resident claims the shed was originally permitted by the City but was not able to produce any such documents and we have no record of it. We felt compelled to work with the resident and to permit the structure at this property until the property goes up for sale and at that time, the shed will be removed at the sole expense of the property owner. Mr. Kolesar stated this property is in Ward 3, and he will be voting no on allowing this permit for several reasons. One being, we worked with a property owner in the same park that this shed is in, and we made that resident remove items that they had in the park and now we are going to allow essentially one of their neighbors on the other side of the park to keep their item. Mark feels they are opening the door to possible future encroachments and would like to be more consistent. Mr. Simpson stated he will be voting for the ordinance although he does agree with Mr. Kolesar, and thinks this may be a situation where they've opened the door to more. The reason he is voting yes for it is because back in 1990 to 1998 where there have been infractions before where either buildings or different objects were on City property or signs that didn't meet the City requirements, and those residents stated they did get approval from the City. Unfortunately records were not kept as well as they are today. He believes the resident, and said we have no way to prove otherwise. The roll was called and Ordinance/Resolution No. 012-18 passed by the yea votes of L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, and J. Coyne. M. Kolesar cast a nay vote.

Ord. 013-18

An Ordinance authorizing the expenditure of \$49,463.45 to various vendors/contractors for the emergency transfer of water service laterals on S. Prospect Street. Mr. Shields moved for the adoption of Ordinance/Resolution No. 013-18, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 013-18, seconded by Mr. Simpson. Mr. Patton stated Council passed an ordinance authorizing the City to complete a project we considered an emergency to transfer several residents on S. Prospect Street from an old 4 inch water line to our new 8 inch water line and at that time the budgeted cost for the project cost was \$75,000. We did complete the project using several different vendors and contractors. The grand total came to a little over \$49,000 and we are asking for authorization with the emergency clause to pay them because the work has been done since about mid-December. Mr. Kolesar will abstain his vote due to his employer using some of the same companies for business. The roll was called on adding the emergency clause and was approved by the yea votes of J. Shields, D. Simpson, J. Coyne, L. Parnell-Cavey, and P. Rose. M. Kolesar abstained. The roll was called and Ordinance/Resolution No. 013-18 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, M. Kolesar, B. Lamb, and L. Parnell-Cavey. M. Kolesar abstained.

Ord. 014-18

An Ordinance authorizing the purchase of one (1) 2017 Chevrolet LCF 4500 from VanDevere Chevrolet to be used by the Parks and Recreation Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 014-18, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 014-18, seconded by Mr. Simpson. Mr. Wehrley stated this cab, chassis and body will be used as an equipment hauler for our lawn maintenance crew in the Parks Department. It will replace a traditional pick-up truck and

trailer which will help increase their efficiencies and safety for the department. Emergency clause has been requested because we are hoping to secure a 2017 model year chassis. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, M. Kolesar, L. Parnell-Cavey, P. Rose, J. Shields, and D. Simpson. The roll was called and Ordinance/Resolution No. 014-18 passed by the yea votes of D. Simpson, J. Coyne, M. Kolesar, L. Parnell-Cavey, P. Rose, and J. Shields.

Ord. 015-18

An Ordinance Rezoning Parcel Nos. 028-19B-09-073 and 028-19B-09-048 located at 124 and 126 Harding Street from R-3, High Density Residential to C-3, General Commercial. Mr. Shields moved for the adoption of Ordinance/Resolution No. 015-18, seconded by Mr. Simpson. Mr. Mendel stated this is a request by Mr. Powers, the owner of the property at 124 & 126 Harding St. for the rezoning, and was approved by the Planning Commission and then went to Council and was reviewed at the Finance Committee then to Public Hearing and now back here before Council. Mr. Kolesar stated they are looking at approving two parcels here and one of his big pet peeves is the transition from commercial to residential and he realizes this property owner was affected from the Rt. 42 improvement and loss some of their frontage. Mark has concerns with the smaller parcel that butts up to other residential and therefore he will be voting no. Mr. Rose stated that Mark's concerns were discussed at the Planning Commission Meeting. Paul stated there will be a buffering that will ease that transition and won't look quite as bad as some people may think. All that was taken into consideration. The roll was called and Ordinance/Resolution No. 015-18 passed by the yea votes of L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, and J. Coyne. Mr. Kolesar cast a nay vote.

Ord. 016-18

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. 016-18, seconded by Mr. Simpson. Mr. Dirham stated this first one is a contribution and when we receive a contribution we need to appropriate that in order to spend it. The second one is a transfer from one line to another. The roll was called and Ordinance/Resolution No. 016-18 passed by the yea votes of L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, J. Coyne, and M. Kolesar.

Council Comments:

Mr. Simpson stated prior to Finance Committee tonight they had a Streets and Sidewalks meeting to discuss some installation of sidewalks where there are no sidewalks within the City limits. There will be a procedure put into place to address that. Dennie recognized the City Engineer Patrick Patton and his accomplishments he sets out to do and every year he satisfies our needs and the Administration needs of getting things done. He congratulated Mr. Lash and his 35 years of service to the city. He also acknowledged Sustainable Medina County and encouraged them to keep doing what they are doing and feels positive that they will raise the funds they need.

Mr. Kolesar acknowledged Mr. Lash and said he truly appreciates all his effort in this community. He also spoke of Sustainable Medina County and how that gas is going to Canada and probably to Europe or Asia.

The Rocky River Watershed Council is holding their annual meeting this year here in Medina on

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Wednesday, January 24th at 6 p.m. at the District Library located a 210 S. Broadway to talk about what they do with featured speakers.

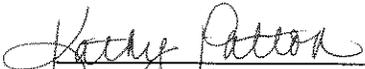
Mr. Shields thanked Mr. Lash for always being there for the right reasons to do what's best for the City of Medina.

Mr. Rose thanked Jerry and stated for 8 years he sat next to him on the Planning Commission and said he had learned so much from him. Paul wished him well.

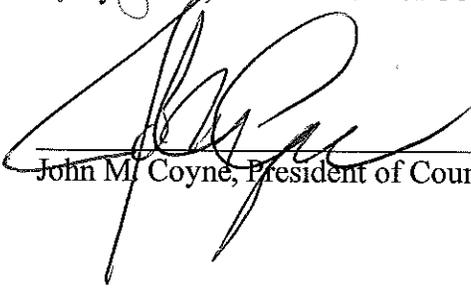
Mrs. Parnell-Cavy also thanked Mr. Lash for his years of service and she also thanked Sustainable Medina County for getting out and putting their case out there and appreciates what they are doing.

Adjournment:

There being no further business before Council, the meeting adjourned at 8:24 p.m.



Kathy Patton, CMC - Clerk of Council



John M. Coyne, President of Council