

MEDINA CITY COUNCIL  
Monday, February 12th, 2018

**Opening:**

Medina City Council met in regular, open session on Monday, February 12, 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 P. Rose, J. Shields, J. Coyne, M. Kolesar, B. Lamb, and L. Parnell-Cavey. D. Simpson was absent.

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

**Minutes:**

Mr. Shields moved that the minutes from the regular meeting on January 22, 2018 as prepared and presented by the Clerk be approved, seconded by Mr. Kolesar. The roll was called and the minutes were approved by the yeas of J. Shields, J. Coyne, M. Kolesar, B. Lamb, L. Parnell-Cavey, and P. Rose.

**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 there is one item scheduled on the agenda this evening in reference to Health, Safety & Sanitation for the Police Department. No report or meeting scheduled.

Public Properties Committee: Mr. Shields stated they are trying to set up a meeting with the Cemetery Commission.

Special Legislation Committee: Mr. Lamb had no report but stated they have two meetings scheduled and one is Tuesday, February 20, 2018 at 7 p.m. to discuss term limits. The other meeting is Tuesday, February 27, 2018 at 7 p.m. to discuss a proposal to expand the Historic District.

Streets & Sidewalks Committee: Mr. Simpson was absent.

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

Emerging Technologies Committee: Mr. Rose had no report.

**Requests for Council Action:**

**Finance Committee**

18-020-2/12 – Purchase 25 PC's for various Departments – MNJ Technologies – IT Dept.

18-021-2/12 – Mail Server Upgrade – IT Dept.

18-022-2/12 – Expenditure – Emergitech Maintenance & Expenses 1/1/18 – 12/31/18

18-023-2/12 – Expenditure Over \$15,000 – Signal Service – Street Dept.

- 18-024-2/12 – Purchase 2019 Freightliner Forestry Bucket Truck
- 18-025-2/12 – Then & Now – Cargill – Road salt purchases
- 18-026-2/12 – Fire District Advisory Committee
- 18-027-2/12 – Expenditure Over \$15,000 – Osborne Medina – Street Dept.
- 18-028-2/12 – Expenditure Over \$15,000 – Lake County Sewer Co. – Street Dept.
- 18-029-2/12 – Expenditure Over \$15,000 – Signal Service – Street Dept.
- 18-030-2/12 – Expenditure Over \$15,000 – Signal Service - Street Dept.
- 18-031-2/12 – Fund Advance – 001 to 821 – Cemetery/Mausoleum Fund
- 18-032-2/12 – Expenditure Over \$15,000 – Signal Service – Street Dept.
- 18-033-2/12 – Request to Rezone 1011 Wadsworth Rd. R-4 to SPD-3
- 18-034-2/12 – TRAC Funding for SR 18 Corridor Improvement Project
- 18-035-2/12 – Bids – Guilford Blvd. Bridge Replacement
- 18-036-2/12 – Revision to Police Lieutenant Job Description
- 18-037-2/12 – Buyout of Phone System Lease / New Maintenance Contract

### **Streets & Sidewalks Committee**

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

### **Reports of Municipal Officers:**

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

- 1) Bicentennial Events –
  - Saturday, February 10th at 1 p.m. at the Library - 3 residents shared how their respective homes were used for the Underground Railroad.
  - Thursday, February 22nd at 7 p.m. at 2nd Baptist Church - Black History through music and arts.
  - Saturday, February 24th at 1 p.m. at the Library - Local Black History talk/stories.
- 2) Annual Ice Festival - Medina Public Square - February 16-19, 2018.
- 3) 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.
- 4) Residents have been calling after receiving the latest letter from Armstrong Cable regarding a rate increase on their cable bills. I want to make it clear to the residents that the City of Medina has no regulatory control about who offers service to the City of Medina and what the rates are for such a service. The State of Ohio through the Department of Commerce handles all franchising of cable providers in the State of Ohio. This would also include the approval of any competitor service to the City. I urge all residents to express their questions or concerns to the Ohio Department of Commerce. Their phone number is 1-800-686-7826 and the email address is [www.VSA@com.state.oh.us](mailto:www.VSA@com.state.oh.us) . The City of Medina will still explore every possible option to assist our residents with this evolving technology.

**Keith Dirham, Finance Director,** reminded residents they are required to file income tax returns

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with the City. We have switched income tax collections from CCA to RITA and had a discussion of this in our Finance Committee earlier. The main points are there is no change in rates, no change in who has to pay, it's just a change in who is collecting the tax on behalf of the City of Medina. We will have RITA come down here to Medina and help out the tax payers and those dates will be in March and April.

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

**Chief Kinney, Police Chief**, had no report.

**Kimberly Marshall, Economic Development Director**, stated that on February 6<sup>th</sup> the Medina County Career Center hosted the City's Economic Development Committee for the February meeting. Superintendent Steve Chrisman reviewed all the programs and building improvements completed to date. Kimberly stated it was very impressive to see all the improvements that they are making to bring this Career Center into the 21<sup>st</sup> Century.

On February 23<sup>rd</sup> the City of Medina, along with Main Street Medina and the Medina Chamber of Commerce will celebrate an expansion project for VCS Salon located at 410 S. Court Street. Ribbon cutting at 1 p.m. At 3 p.m. we will welcome RizTech to the City of Medina located at 215 S. Court Street.

**Jonathon Mendel, Planning Community Director**, had no report.

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

**Mike Wright, Recreation Center Director**,

The Medina Rec's 15th Anniversary Open House is next Monday, February 19th, President's Day, from 1 p.m. – 4 p.m. There will be inflatables, toddler open gym, swimming and lots of other activities including drawings for an iPad, Fitbit, gift cards, and more. For the entire day, non-members can bring a non-perishable food item to get in for free (ID policy enforced). Donated food will all go to Feeding Medina County. We will also be running a 15% discount sale for the day for all new memberships. Lastly, our next Rec Advisory Board meeting will be this Thursday, February 15th, at 7:30 a.m. at the Rec Center.

**Jansen Wehrley, Parks and Recreation Director**, stated they will be posting notifications along the Champion Creek Multi-Purpose Trail between Guilford Blvd. and Southport Drive advising the trail users that we will be closing the trail for a period of two days to permit a contractor to remove some dead and dying Ash trees along the trail and this project will probably start in the next two to three weeks and is entirely weather dependent.

The North East Ohio Areawide Coordinating Agency has been working on updating the bicycle transportation maps for several counties in Ohio. The maps should be available to area businesses in the city by the end of May.

**Dan Gladish, Building Official**, had no report.

**Patrick Patton, City Engineer**, advised that the Board of Control awarded a contract for the

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reconstruction of the North-South Taxiway at the Medina Municipal Airport. This was the third time we tried to bid this project. After the second one we did modify the scope and parameter of it, and this time we were successful. This project is primarily being funded both through the State and Federal FAA Grants.

**Nino Piccoli, Service Director**, stated there has been a recent salt shortage. We have a contract with Cargill Inc. We are being told there were weight restrictions put on a bridge going to and from the salt mine reducing weight volumes by 80%. Additionally, there were power transformer issues and lost power twice, political subdivisions were all ordering salt at the same time. These are some of the reasons that there has been a little bit of delay in deliveries of salt. We are not in panic mode. We do have a backup plan and have a good relationship with ODOT here at District 3 and are able to load at nearby facilities if necessary.

**Notices, Communications and Petitions:**

There were none.

**Unfinished Business:**

There was none.

**Introduction of Visitors:**

Jackie Pohorel resides at 638 Stratton Dr. in Medina. She is speaking in order to propose a ban on parking RV's and boats on driveways in residential neighborhoods in Medina City citing the following reasons: eyesore – lowers property values, safety concerns - backing out of driveway, some even infringe on sidewalks. May prohibit firefighters from doing their job properly. She proposes that boats and RV's be parked on cement pad adjacent to home only and would like to work with Jonathon Mendel on amending the Zoning Code. Mr. Mendel stated that April 1 through October 31<sup>st</sup> boats and RV's may be parked in the driveway, side or backyard in the current code.

Kelly Low resides at 3949 Hedgewood in Montville Twp. She stated on behalf of the Medina Rotary Club she would like to thank everyone on Council for their consideration and approval of the Medina 911 Memorial, special thanks to Mayor Dennis Hanwell and Parks Director, Jansen Wehrley. She spoke of Flight 93 and how it flew over south western Medina County that morning as we all went about our day. Today's youth under the age of 19 either were not alive or don't remember and this memorial will be one way to show them a piece of history that changed our way of life. It is our hope that all communities throughout Medina County will recognize this memorial as a symbol of our perseverance and unity and it will honor those who perished, our first responders and our veterans. Our fundraiser platforms include: buy a brick program, sponsorships, Go-Fund-Me page and Community Fund. They will also have a custom Medina 911 Memorial coin which will be for sale soon. We are asking citizens of Medina County to email the Medina Rotary Club their own personal stories and memories as citizens of this county regarding September 11, 2001. With a collection of these stories, we plan to put together a booklet to be sold as a fundraiser in order to provide all future Medina County students with a copy. Please put July 28<sup>th</sup> on your calendar for the dedication ceremony.

Carol Cullin resides at 2478 Northland Dr. in Medina, she realizes that the City of Medina is not

responsible for the decision made by Judge Collier and Judge Kimble to serve alcohol at the Medina Recovery Center Restaurant, however, this restaurant is within the city limits. She stated when this recovery center was being put together, alcohol was never mentioned. Carol doesn't see in any way where serving alcohol will help the restaurant or help the recovery of addicts. She stated that one addiction leads to another.

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

**Ord. 017-18**

**An Ordinance authorizing the Mayor to enter into an Agreement with USI Insurance Services, LLC for the City's Property and General Liability Insurance for the period of April 1, 2018 through March 31, 2019.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 017-18, seconded by Mr. Kolesar. Mr. Dirham stated he is trying to avoid having an emergency clause added to this request by having it turned in early. The roll was called and Ordinance/Resolution No. 017-18 passed by the yea votes of J. Coyne, M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, and J. Shields.

**Ord. 018-18**

**An Ordinance authorizing the Mayor to enter into an Agreement between the City of Medina, Ohio and the Medina County Fair Housing Office for professional services required to implement a Fair Housing Services Program for the RY17 Community Development Block Grant (CDGB) Program.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 018-18, seconded by Mr. Kolesar. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 018-18, seconded by Mr. Kolesar. Mr. Mendel stated Fair Housing Services are required as part of our CDBG grant through the State of Ohio. This is to continue our relationship that we've had with the Medina County Fair Housing Office. This would be for \$5,000.00 which is \$2,500.00 per year because our allocation grant is a 2 year grant. Emergency clause is requested due to contract running through February 28<sup>th</sup>, 2018. The roll was called on adding the emergency clause and was approved by the yea votes of B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, J. Coyne, and M. Kolesar. The roll was called and Ordinance/Resolution No. 018-18 passed by the yea votes of M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, and J. Coyne.

**Ord. 019-18**

**An Ordinance authorizing the expenditure of \$40,000.00 to Wingfoot Commercial Tire Systems, LLC for the purchase of truck tires for the Sanitation Department.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 019-18, seconded by Mr. Kolesar. Mr. Piccoli stated Wingfoot has provided excellent service to the city for many years. They sell new and recap commercial tires at or below state bid pricing to the Sanitation Department. The roll was called and Ordinance/Resolution No. 019-18 passed by the yea votes of L. Parnell-Cavey, P. Rose, J. Shields, J. Coyne, M. Kolesar, and B. Lamb.

**Ord. 020-18**

**An Ordinance authorizing the Mayor to execute a Memorandum of Understanding with the Medina County Board of Commissioners to provide Fixed Route Public Transportation**

**services within the City of Medina for the period of January 1, 2018 through December 31, 2019.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 020-18, seconded by Mr. Kolesar. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 020-18, seconded by Mr. Kolesar. Mayor Hanwell stated this is an agreement between the City and the County to provide the transit service in the City. It's a two year grant of \$90,000 (\$45,000 a year) The County has committed \$300,000 (\$150,000 a year). Emergency clause is needed due to this current year from January 1<sup>st</sup> to now we want to get our fair share to them to continue to provide the service as quickly as we can. The roll was called on adding the emergency clause and was approved by the yea votes of J. Shields, J. Coyne, M. Kolesar, B. Lamb, L. Parnell-Cavey, and P. Rose. The roll was called and Ordinance/Resolution No. 020-18 passed by the yea votes of P. Rose, J. Shields, J. Coyne, M. Kolesar, B. Lamb, and L. Parnell-Cavey.

**Ord. 021-18**

**An Ordinance amending Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Police Department, Lieutenant and Sergeant positions.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 021-18, seconded by Mr. Kolesar. Chief Kinney is asking to promote a second Lieutenant and dissolve the resulting Sergeant vacancy. He needs this to dilute some of the responsibilities that the current Lieutenant has and spread it out evenly. Mr. Kolesar feels this move makes sense and is in support of. The roll was called and Ordinance/Resolution No. 021-18 passed by the yea votes of J. Coyne, M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, and J. Shields.

**Res. 022-18**

**A Resolution accepting the Medina Rotary Club donation of a 911 Memorial at Fire Station #1, located at 300 W. Reagan Parkway.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 022-18, seconded by Mr. Kolesar. Mayor Hanwell stated he asks for the Council's support for this, Dr. Low from the Rotary has already given you somewhat of an overview. Mayor Hanwell stated this project was started a little over 20 years ago and it has taken a long time finding the right location and to find support. There is actually a steel bar that was transported from New York City from one of the burned Twin Towers included in this memorial and we can't think of a better place to commemorate the sacrifices that were made and the terror that was bestowed on our country than this parcel next to Fire Station 1 where we have adequate parking and room for a pavilion. Mayor Hanwell thanked Dr. Low for her work on the 911 Memorial. Mr. Coyne expressed gratitude to the Medina Rotary and feels this is going to be a great addition to the City of Medina. Mr. Shields also thanked Dr. Low and he is aware of the promise made to Bill Cohen that you would see this through. Mr. Kolesar also expressed his gratitude. The roll was called and Ordinance/Resolution No. 022-18 passed by the yea votes of M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, and J. Coyne.

**Ord. 023-18**

**An Ordinance of the Council of the City of Medina, 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.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 023-18, seconded by Mr. Kolesar. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 023-18, seconded by Mr.

Kolesar. Mr. Dirham stated this is to pay for salt that was purchased already and the emergency clause is needed because we already received the salt. The roll was called on adding the emergency clause and was approved by the yea votes of L. Parnell-Cavey, P. Rose, J. Shields, J. Coyne, M. Kolesar, and B. Lamb. The roll was called and Ordinance/Resolution No. 023-18 passed by the yea votes of B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, J. Coyne, and M. Kolesar.

**Ord. 024-18**

**An Ordinance authorizing the Finance Director to make certain fund advances.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 024-18, seconded by Mr. Kolesar. Mr. Dirham explained this is an advance to pay for a previously approved expenditure. The roll was called and Ordinance/Resolution No. 024-18 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, M. Kolesar, B. Lamb, and L. Parnell-Cavey.

**Ord. 025-18**

**An Ordinance authorizing the Mayor, on behalf of the City of Medina, to engage the law firm of Walter Haverfield, LLC, jointly with the Regional Income Tax Agency (RITA) and other municipalities for the purposes of initiating litigation to challenge the constitutionality of amendments to Chapter 718 of the Ohio Revised Code relating to Municipal Income Tax.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 025-18, seconded by Mr. Kolesar. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 025-18, seconded by Mr. Kolesar. Mr. Huber explained that the State of Ohio recently passed legislation that takes away from local municipalities the right and ability to collect municipal income tax. Many local municipalities feel that this legislation oversteps the constitutional bounds and infringes upon local municipalities right of Home Rule. The agency RITA is willing to fund the litigation to challenge the constitutionality of this group of state statutes, they hired a law firm Walter Haverfield to initiate the litigation on our behalf and on behalf of a long list of municipalities in northeast Ohio. Litigation has been filed and is pending down in Franklin County. This statute allows the Mayor to sign an agreement that would allow the City to join with the lawsuit, and he recommends that we do that. Mr. Coyne adds that the reason we are doing this is mainly because the State is attempting to take away some of our powers as a City and that power relates to the collection of the income tax first and net profit tax related to businesses and then the next domino probably the Municipal Income Tax that we currently collect on behalf of our residents, most likely making it more difficult for us to get our money from the state of Ohio. Mr. Rose agreed and will vote in favor of this. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 025-18 passed by the yea votes of J. Shields, J. Coyne, M. Kolesar, B. Lamb, L. Parnell-Cavey, and P. Rose.

**Council Comments:**

Mr. Kolesar apologizes for leaving Jane Leaver out of the nods for making this community great and her work on the Medina 911 Memorial.

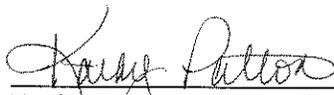
Mr. Kolesar agreed with the visitor who spoke about the boats and RV's and feels they can be overwhelming in some of the neighborhoods. He also stated he agrees with the visitor speaker on not having alcohol at a recovery center restaurant. The opportunity/temptation should not be right there in front of them.

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Mr. Coyne reminded everyone that Wednesday is Valentine's Day so don't forget your significant other.

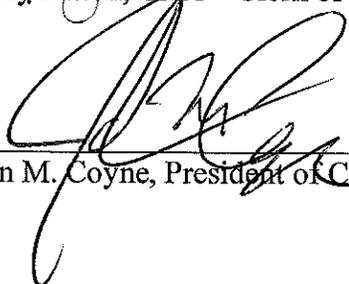
**Adjournment:**

There being no further business before Council, the meeting adjourned at 8:17 p.m.



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Kathy Patton, CMC - Clerk of Council



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John M. Coyne, President of Council