

MEDINA CITY COUNCIL  
Monday, February 13, 2017

**Opening:**

Medina City Council met in regular, open session on Monday, February 13, 2017. 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. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

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, Jansen Wehrley and Acting Police Chief Lt. Birckbichler.

**Minutes:**

Mr. Shields moved that the minutes from the regular meeting on January 23<sup>th</sup>, 2017 meeting as prepared and presented by the Clerk be approved, seconded by Mr. Simpson. The roll was called and the minutes were approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

**Reports of Standing Committees:**

Finance Committee: Mr. Coyne stated they met prior to tonight's council meeting and had discussions on many items that will be on the next agenda and will meet again prior to the next City Council meeting on February 27, 2017.

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

Public Properties Committee: Mr. Shields reported that they met on Tuesday, January 31<sup>st</sup> to discuss the rates for the Memorial Pool which went through Finance tonight and will be on the next Council agenda. No further meetings have been scheduled.

Special Legislation Committee: Mr. Lamb had no report.

Streets & Sidewalks Committee: Mr. Simpson stated they met this evening prior to our Finance Committee meeting. Mr. Patton, City Engineer gave us updates on projects that are going on now and future projects that will hopefully take place this year. He said that all of the department heads do a phenomenal job for our city.

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

Emerging Technologies Committee: Mr. Rose had no report.

**Requests for Council Action:**

**Finance Committee**

17-024-2/13 – 2017 Tax Advances

17-025-2/13 – Transfer Request – MCRC Capital

17-026-2/13 – Budget Amendments

17-027-2/13 – Amend Ord. 131-12, EMS Agreement with Medina Hospital

17-028-2/13 – Donation of old computers to Medina City Schools

Medina City Council  
February 13, 2017

17-029-2/13 – Contract w/Rea & Associates – GAAP Conversion & CAFR Report  
17-030-2/13 – Approve Administrative Office Manager Job Description/Pay Grade  
17-031-2/13 – Expenditure – HD Supply Waterworks – Water Dept.  
17-032-2/13 – Expenditure Over \$15,000 – H.J. Umbaugh & Assoc.  
17-033-2/13 – ODOT Property Acquisition for Bridge Projects  
17-034-2/13 – Amend Section 5.7 of JOA re: Sponsorships  
17-035-2/13 – 2016 Carryforward

**Reports of Municipal Officers:**

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

- 1) Feb. 17- 20, 2017- Ice Festival put on by Elegant Ice. Thankful for event and many visitors it brings to our community. Schedule of events on Main Street Medina website [www.mainstreetmedina.com](http://www.mainstreetmedina.com)
- 2) Feb. 23, 2017 - Black History month event at 7 p.m. at Second Baptist Church on Bronson Street. The event is sponsored by the American Association of University Women. Members share personal perspectives in Medina and several choirs will perform. Hope all may attend.
- 3) Fire - On February 9th at about 0315 a.m. Medina Safety forces responded to an explosion/fire at Medina Village Apartments on Spring Brook Drive. Our safety forces were assisted by Medina Sheriff's Dept., Medina Twp. and Montville Twp. Police Departments; Medina Twp. Fire Dept. and Sharon Twp. Fire Dept.. The incident resulted in the death of one adult and two other adults were seriously burned and remain at Metro Health Center. Thanks to the community for your generous support and assistance to those injured and displaced as a result of this tragedy. Shows another reason there is something special about Medina! Please keep the families in your prayers. Plan is to invite the safety forces to next Council meeting, February 27<sup>th</sup> to recognize and thank them.

**Keith Dirham, Finance Director,** stated they there are a couple of things on the agenda that he will address when we get there. He announced that the City of Medina has already started our budget process for 2018-2022. He sent out the revenue estimate and those will be back to him by March 20<sup>th</sup> and then to Council by April 1<sup>st</sup>.

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

**Lt. Birekbichler, Acting Police Chief,** reminded residents, business owners and visitors to the City that we have now hired a Parking Attendant and that parking around the square and center of the city lots are all limited to 3 hours, beginning tomorrow.

**Kimberly Marshall, Economic Development Director**, had no report.

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

**Chief Painter, Fire Chief**, stated that the scene of the recent apartment fire has been secured with a fence for safety and security reasons. The State Fire Marshall, a police representative and he met this morning to review their progress. He said he anticipates a report should be released for cause and origin within the next couple of weeks. Residents should expect a lot of activity at the area, there are numerous private investigators that represent the insurance companies and they will be going in and out over the next two weeks doing their investigations to cover the insurance companies. In addition to the thanks that the Mayor gave, he would like to thank the Red Cross, our Service Department and Dan Gladish from the Building Department who came down and also helped with the investigation. He also wanted to thank McDonalds on North Court and Dunkin Donuts on Route 18, they supplied food and refreshments throughout the night for all the first responders.

**Mike Wright, Recreation Center Director**, reported that they are offering a \$3.00 daily rate for seniors through the end of March so seniors have a safe place to exercise out of the cold and slippery conditions during the winter. The senior age at the Rec. is 60+. Also a reminder for seniors that the Healthways Plan offers free memberships and programs for qualified seniors. For information, call the Recreation Center at 330-721-6901 or stop in at the front desk and give them your name and birthdate to see if you are qualified. We have over 2,000 members now using it. Lastly, the next Rec. Advisory Board meeting is this Thursday, February 16<sup>th</sup> at 7:30 a.m. and the Recreation Center.

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

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

**Patrick Patton, City Engineer**, reported that the US 42 Project is reaching a milestone in early March when the phasing work will begin. To date, work has been limited to utility installation and relocations. The start of phasing means that roadway work will actually begin. This will require significant change to the maintenance of traffic plan. Basically it means that the lanes will be limited in each direction to one. ODOT in anticipation to this, is conducting a public open house for all businesses within the project area as well as any other interested citizens or members of the public. The open house will be held Tuesday, February 28<sup>th</sup> between 4-6 p.m. at Medina Fire Station #1, 300 W. Reagan Parkway.

**Nino Piccoli, Service Director**, had no report.

**Notices, Communications and Petitions:**

**Liquor Permit:**

Mr. Shields moved not to object to the stock transfer of a D5 and D6 permit for Suen Corp., dba

Medina City Council  
February 13, 2017

House of Hunan, 18 Public Square, 1<sup>st</sup> floor and basement. Motion seconded by Mr. Simpson and approved by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

**Unfinished Business:**

There was none.

**Introduction of Visitors:**

There were none.

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

**Ord. 13-17**

**An Ordinance authorizing the Mayor to solicit Requests for Proposals (RFP's) for Marketing and Solicitation Services related to a "Donation Recognition Program" for the Medina Community Recreation Center.** Mr. Simpson moved for the adoption of the Ordinance/Resolution No. 13-17, seconded by Mr. Kolesar. Mr. Simpson moved that the emergency clause be added to Ordinance/Resolution No. 13-17, seconded by Mr. Kolesar. Mr. Wright explained that this RFP is to secure a marketing firm or an individual to submit proposals for range of marketing and solicitation services for a donation recognition program for the Recreation Center. He thanked Greg Huber, the City and school administration, and all the committee members involved in this process, it has been a long one. The emergency clause is requested because we have had several companies wishing to already start the program and donate to the Rec Center in the last two weeks since the last discussion about it and also two marketing firms that are interested in it. The roll was called on adding the emergency clause and was approved by the yea votes of M. Kolesar, B. Lamb, P. Rose, D. Simpson, J. Coyne, and B. Hilberg. J. Shields abstained. The roll was called and Ordinance/Resolution No. 13-17 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, D. Simpson, J. Coyne, and B. Hilberg. J. Shields abstained.

**Ord. 14-17**

**An Ordinance amending Ordinance No. 101-01, passed July 9, 2001 relative to Section 5.7 of the Joint Operating Agreement by and between the Board of Education of the Medina City School District and the City of Medina, Ohio for the Medina Recreation Center, pertaining to Sponsorship Rights.** Mr. Simpson moved for the adoption of Ordinance/Resolution No. 14-17, seconded by Mr. Kolesar. Mr. Wright stated that per the school's request at the last work session on February 6<sup>th</sup>, the MCRC request to make the change in the Joint Operating Agreement to reflect the changes in Article V, Section 5.7 from "Naming Rights" to "Sponsorship Rights". The roll was called and Ordinance/Resolution No. 14-17 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, and P. Rose. J. Shields abstained.

**Ord. 15-17**

**An Ordinance authorizing the expenditure of \$66,500.00 to EPIC Aviation LLC for the purchase of Jet-A Fuel at the Medina Municipal Airport.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 15-17, seconded by Mr. Simpson. Mr. Dirham stated that this authorizes the purchase of jet fuel at the airport. They operate a fuel dispensing operation for jet

fuel, we purchase the fuel. The roll was called and Ordinance/Resolution No. 15-17 passed by the yeas votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

**Ord. 16-17**

**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, 2017 through December 31, 2017.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 16-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 16-17, seconded by Mr. Simpson. Mayor Hanwell explained that this is an annual agreement between the City and the Board of County Commissioners to provide transit services for our residents. We take a portion of it from our CDBG grant and the remainder from our General Fund. This provides a vital service for our residents that have such transportation needs for medical issues, shopping and general getting around town that we may take for granted with vehicles. The reason for the emergency clause is that the agreement actually began January 1, 2017 through the end of this year. The roll was called on adding the emergency clause and was approved by the yeas votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar. The roll was called and Ordinance/Resolution No. 16-17 passed by the yeas votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

**Ord. 17-17**

**An Ordinance authorizing the Job Creation Grant Agreement for Sandridge Food Corporation.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 17-17, seconded by Mr. Simpson. Mrs. Marshall explained that this request is for the Mayor to enter into a Job Creation Grant Agreement with Sandridge Food Corporation for the purposes of constructing an addition to their production facility located at 133 Commerce Drive creating 50 new full-time positions and a payroll of \$2.3 million dollars by the year of 2020. This is their largest project to date with an investment over \$16 million dollars. The agreement will provide Sandridge Food Corporation with a grant up to 40% of new payroll taxes to the City of Medina for 5 years. These grants are paid for out of non-income tax generated revenues and the agreement was reviewed by the Law Director and has been approved. The roll was called and Ordinance/Resolution No. 17-17 passed by the yeas votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

**Res. 18-17**

**A Resolution requesting the County Auditor to make Tax Advances during the year 2017 pursuant to Ohio Revised Code Section 321.34.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 18-17, seconded by Mr. Simpson. Keith Dirham explained that we have to formally make this request so that we will get advances on our property tax receipts. The roll was called and Ordinance/Resolution No. 18-17 passed by the yeas votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

**Ord. 19-17**

**An Ordinance authorizing the Finance Director to make certain fund transfers.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 19-17, seconded by Mr. Simpson. Mr. Dirham explained this is a transfer from the Rec. Center fund to the Rec. Center Capital fund pursuant to the Joint Operating Agreement with the Schools. The roll was called and Ordinance/Resolution No. 19-17 passed by the yeas of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

**Ord. 20-17**

**An Ordinance amending Ordinance No. 167-16, passed December 12, 2016. (2016 Carryforward)** Mr. Shields moved for the adoption of Ordinance/Resolution No. 20-17, seconded by Mr. Simpson. Mr. Dirham explained that this is typically the largest appropriation amendment we pass each year. It is re-appropriating unspent appropriations from the prior year, specifically if a department didn't spend all of their appropriations, if they put off a purchase, they will need to make that purchase the following year. The roll was called and Ordinance/Resolution No. 20-17 passed by the yeas of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

**Ord. 21-17**

**An Ordinance amending Ordinance No. 167-16, passed December 12, 2016. (Amendments to 2017 Budget)** Mr. Shields moved for the adoption of Ordinance/Resolution No. 21-17, seconded by Mr. Simpson. Mr. Dirham explained that this is an appropriation adjustment due to a donation. When a donation comes in we still have to ask Council's approval to be able to spend that donation. The roll was called and Ordinance/Resolution No. 21-17 passed by the yeas of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

**Ord. 22-17**

**An Ordinance declaring the necessity to appropriate a fee simple interest on property as set forth in Exhibit "A" for the municipal purpose of replacing a culvert along West Smith Road over Champion Creek within the City of Medina.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 22-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 22-17, seconded by Mr. Simpson. Mr. Huber explained that the Ohio Department of Transportation asked the City of Medina to appropriate small strips of land on two different properties, one located by Bradway Creek and the other by Champion Creek. The emergency clause is requested by reason of the fact that we need to acquire these properties by the end of the month and accordingly with Council's authorization I will have to file these complaints tomorrow. The roll was called on adding the emergency clause and was approved by the yeas of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar. The roll was called and Ordinance/Resolution No. 22-17 passed by the yeas of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

**Ord. 23-17**

**An Ordinance declaring the necessity to appropriate a fee simple interest on property as set forth in Exhibit "A" for the municipal purpose of replacing a culvert along North Harmony Street over Bradway Creek within the City of Medina.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 23-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 23-17, seconded by Mr. Simpson. Mr. Huber explained that this is the second ordinance, an appropriation proceeding required by the Ohio Department of Transportation that authorizes me to file a complaint tomorrow in the common pleas court to acquire control of these properties. This is the property that involves replacement of a culvert going across Bradway Creek. The roll was called on adding the emergency clause and was approved by the yeas of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose. The roll was called and Ordinance/Resolution No. 23-17 passed by the yeas of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

**Council Comments:**

Councilman Kolesar said that he would like comment about the tragic fire at Medina Village Apartments, which is in Ward 3. He thanked all of the first responders for their dedication to our community and being out there and trying to make the best of the situation and helping those families. He sent his condolences to the families affected. This shows what a great community we live in, from the compassion of regular individuals to businesses reaching out to help those families that were displaced. He also thanked Medina Village Apartments, the Red Cross, Salvation Army, United Church of Christ Congressional. February is the month of compassion and we focus on what we can do to affect anyone we can touch. We are so blessed to live in a community like Medina where when someone is in need, people come out from everywhere and that is a great thing. He said he is proud to be a member of this community.

Mr. Kolesar stated he would also like to reach out to residents in Ward 3 and the entire community, the City of Medina is moving forward on the Medina City Pool that we are excited about, but there is another non-profit pool over in Ward 3 (FOHA Pool) actually Falling Oaks Swimming Club which is a neighborhood based pool where they are not trying to make a profit, they are just trying to break even and they are doing everything they can to put some updates into their pool as well and have them open on Memorial Day as well. This pool has always been great for families and for kids to hang out in the summer time. Keep this pool in mind as well, go to [www.fallingoaks.org](http://www.fallingoaks.org) to learn more about the pool and a fundraiser they have coming up on February 24<sup>th</sup>.

Councilman Lamb stated that he recently got a dog from the SPCA, a rescue dog. Without the SPCA in the city we would spend considerably more money on animal control. When his lab died he thought he would get another purebred lab. Then he saw a rescue dog that the SPCA had and someone had dropped him off at a shelter in Summit County with his brother and they were both to be put to sleep. Someone from the SPCA just happened to be at that Summit County shelter and thought those dogs were just too good to be put to sleep and brought them to the SPCA in Medina. They were named Ben and Jerry and Ben got adopted and Jerry wasn't, so I thought I'd go see what Jerry looked like. We took Jerry home and he is a rescue dog and I feel good about that. The real story is what they do at the SPCA. Jerry is doing fine.

Medina City Council  
February 13, 2017

**Adjournment:**

There being no further business before Council, the meeting adjourned at 7:59 p.m.



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Kathy Patton, CMC - Clerk of Council



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John M. Coyne, President of Council