

MEDINA CITY COUNCIL  
Monday, March 27th, 2017

**Opening:**

Medina City Council met in regular, open session on Monday, March 27th, 2017. The meeting was called to order at 7:30 p.m. by President Pro-Tem Jim Shields who led the Pledge of Allegiance.

**Roll Call:**

The roll was called with the following members of Council present B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson. John Coyne 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, and Acting Police Chief Lt. Birckbichler.

**Minutes:**

Mr. Simpson moved that the minutes from the regular meeting on March 13<sup>th</sup>, 2017 as prepared and presented by the Clerk be approved, seconded by Mr. Kolesar. The roll was called and the minutes were approved by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and B. Hilberg.

**Reports of Standing Committees:**

Finance Committee: Mr. Shields stated they met prior to Council and will meet again Monday, April 10<sup>th</sup>, 2017.

Health, Safety & Sanitation Committee: Mr. Kolesar stated they do have a new sanitation truck on the agenda tonight. No meeting scheduled at this time.

Public Properties Committee: Mr. Shields had no report and no meeting scheduled.

Special Legislation Committee: Mr. Lamb stated he is in the process of scheduling a meeting to discuss zoning changes.

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:**

- 17-048-3/27 – Project Agreement w/ ODOT – Champion Creek Bicycle Route
- 17-049-3/27 – Purchase 25 PC's – MNJ Technologies – IT Dept.
- 17-050-3/27 – Award Contract to EMH&T Engineers – Guilford Blvd. Bridge
- 17-051-3/27 – Expenditure to SPCA for Animal Related Services
- 17-052-3/27 – General Liability Insurance Renewal – USI Insurance Services
- 17-053-3/27 – Airport Liability Insurance Renewal – A.J. Gallagher

**Reports of Municipal Officers:**

**Dennis Hanwell, Mayor,**

1. Sunday, March 26<sup>th</sup> he attended Liberty Fellowship Baptist Church located at 111 North Broadway St. it was their 15 year anniversary and they presented to him and Fire Chief Painter a Proclamation for City Council and the Administration and one for the Fire Department for all the support over the years.
2. The Medina Hospital Birthing Center closing was a shock to all of us. He reported he has reached out to Dr. Tulisiak to request meetings with the Clinic representatives to discuss this decision and has not heard back from them yet. He also mentioned the Neo-natal Intensive Care Unit. In discussions with representatives Steve Hambley and Speaker of the Senate Larry Obhof office, they likewise have reached out to the Cleveland Clinic and requested similar meetings for those same purposes.
3. We are in preparation for the National Day of Prayer Events for our community the first Thursday in May on the 4<sup>th</sup> at 7 a.m. Breakfast at Williams on the Lake and tickets are available at the Mayor's Office and Medina Community Church and a number of the other churches. The speaker this year is Rev. Arthur Ruffin from the Second Baptist Church. There will be a noon prayer service on the square and in case of rain, the United Church of Christ Congregational has offered to use their location. The 7 p.m. service will be at Heartland Community Church located at 3400 Weymouth Road.

**Keith Dirham, Finance Director,** stated all residents are required to file a city income tax return and the forms are available here at city hall or you can get them online. We do not collect the income tax ourselves it is collected by CCA a Cleveland income tax agency. House Bill #5 which the state passed, changed the income tax to make it more standard across the State of Ohio moved the date up for estimated payments. Since so many are receiving late fee penalties, he stated he will turn in a Request for Council Action asking for a blanket wave of the penalties for the first year of this.

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

**Lt. Birckbichler, Acting Police Chief,** explained with the improved weather, they are reminding all residence that blocking sidewalks is against both state law and municipal ordinances.

**Kimberly Marshall, Economic Development Director,** The City of Medina Office of Economic Development will soon begin publishing an e-newsletter each Friday with articles about economic development news and a section on city road construction updates entitled "Barrels and Cones". To receive the newsletter, you can go to the city's website at [www.medinaoh.org](http://www.medinaoh.org) and sign up for our newsletter and construction updates. Registrants emails will be added to that list. If you have previously signed up for the newsletter, you are already on the list, but you will need to sign up again if you have recently changed your email. In order to increase public awareness, business

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owners are also asked to share the service with all their employees and vendors. We hope that this e-newsletter will help to keep everyone apprised of city economic development activities and our many construction projects. The first newsletter is scheduled to release this Friday.

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

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

**Mike Wright, Recreation Center Director**, was absent.

**Jansen Wehrley, Parks and Recreation Director**, was absent.

**Dan Gladish, Building Official**, absent.

**Patrick Patton, City Engineer**, gave updates on active construction projects - West Smith the roadway portion of that project began last week which means they began removing pavement and getting ready for stabilizing the subgrade. On 42 the North Court St. Project with ODOT, they are scheduled to start the roadway work this week and a new traffic pattern will be set up for one lane in each direction on North Court St. with limited left turn lanes available at certain intersections.

**Nino Piccoli, Service Director**, stated there is a renovation project taking place at the Engine House on the square. The Medina County Career Center construction trades classes and students are our general contractors with Todd Mason and Richard Hopkins who are directing the students. Councilman Bill Lamb has been instrumental in raising funds, and the CDC has donated \$20,000.00. The family of Murray and Susan Van Epp have generously donated \$20,000.00 as well. The estimate and total for the project is approximately \$60,000.00 and this involves demo work, clean up, HVAC duct work, studding walls and drywall. Project is progressing, and the students are doing an amazing job. The end result should be a very large community room with two offices.

**Confirmation of Council Appointments:**

Archive Commission – Beth Biggins-Ramer – Expiring 12/31/18

Mr. Simpson moved to approve Council's appointment, seconded by Mr. Kolesar. The roll was called and passed by the yeas of B. Lamb, P. Rose, J. Shields, D. Simpson, B. Hilberg, and M. Kolesar.

**Notices, Communications and Petitions:**

There was none.

**Unfinished Business:**

There was none.

**Introduction of Visitors:**

Jane Ann Brock resides on Lancaster Dr. in Medina City. She stated she is a retired registered nurse from Medina Hospital that worked in the birthing center for 35 yrs. doing labor and delivery. Jane stated it is overwhelming to her that they were not giving the opportunity to even consider this change that Cleveland Clinic decided to announce upon us that they are closing the birthing unit on July 1<sup>st</sup>.

It's disappointing that they are closing a unit that takes away a vital service to our young families. Jane proceeded to address articles from the local papers. If this is not a financial decision, then we need to ask Cleveland Clinic to consider upgrading our unit from a level one to a level two facility. The community deserves to know what the emergency plan entails. To state that the ER is equipped for emergency deliveries is deceiving and gives a false sense of security to our community.

Dr. Pat Naples Obstetrician Gynecologist who has practiced here for the last 30 years. He has had the fortune of delivering close to 6,000 babies here in this town. People are born here, they live here, and they have their families here. He stated he is not here to bash the Cleveland Clinic, they have done a lot of good things in their time but this is not one of them. The sole purpose of Medina Hospital is to serve this community. This decision is wrong, it's wrong for this community, wrong for the young families that live in this community. What makes this town so great to live in is our neighborhoods, our schools, our square, our churches and our hospital. If there is an issue or if a patient calls with a concern they have to consider the distance and time it will take them and may decide to just stay home and see what happens, sometimes that's ok but sometimes that may be bad and it will be too late to address the situation. There are 800 to a 1,000 women that deliver at Medina Hospital yearly. Our responsibility is to take care of those patients, to be there when they need us. There is no emergency room in the world that is going to be able to take care of an emergency obstetrical case, they don't have the skills to recognize a problem when it comes in. There are no second chances with a baby, no do overs. This community will lose tremendously if we lose our family birthing center. We need to stand up against it.

Kevin Young resides at 1598 Elber Ave. Lakewood. He was the media relations person with the Save Lakewood Hospital committee. We felt a great affinity for what you all are about to go through. The Cleveland Clinic puts profits way before the interest of all of us. The health of this community and other communities in North East Ohio runs a distant second to what money means to the Cleveland Clinic. Mr. Young spoke of what they went through in Lakewood. He stated it is just the beginning of what they may close in the near future. He feels they need to bring representatives on every level; Municipal, County, State, and National. Let's bring Senators' Portman and Brown into this. We need to let them know that we are not going to allow the Cleveland Clinic to tell us what's good for them.

Mary Hilberg resides at 246 W. Homestead St. and feels every bit of support is important and that's what everybody here is looking for. Isabella and Sophia would have been two of those babies that may have not have made it potentially if not given the excellent care from the Medina Birthing Center and Dr. Naples. She had several visits during her pregnancy when she had to be checked out because something didn't feel right and that would have been a chore to drive 45 minutes or more away just to be seen every single time. This is not for us, it's for their pockets.

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Gene Salzner – Councilman for Seville and for 37 years he was with the Medina Life Support Team and for 26 of those years he was the director for the Medina Life Support Team. His concern is for public safety, for all of Medina County and parts of northern Wayne County. This affects all people. As a councilman, he recommends this resolution that he created. Obviously, there is nothing they can do legally-but in the resolution it voices our concern on behalf of the residents for public safety.

Emily Pettway resides at 527 Bronson St. She stated she is not a nurse or doctor, but a mother. She did use the Medina Birthing Center for an emergency C-section. She had to utilize Medina's emergency room this past Friday. Her two week old baby was experiencing unexpected upper GI bleeding. They ran into some complications, they had to seek the knowledge of a labor and delivery nurse just to start an IV. She is concerned about the trickledown effect when they don't have the expertise to turn to.

Dennie Simpson stated as an employee of the Cleveland Clinic, he is with the Life Support Team, there are a lot of things he would like to say but as his position on Council he would be better off not to say. He thanked everyone that came to support, it takes a lot of courage to stand up and tell your story. All of us on Council truly appreciate the effort you all are putting out towards this. Mayor Hanwell has contacted the administration at the hospital and our state leaders. Hopefully there can be some resolution. This would be a huge loss for our community.

J. R. Russell resides on Brandywine Dr. and stated that he will be running for Judge for the Municipal Court this November. He has been attending Council meetings throughout the jurisdiction so that the public can get to know him.

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

#### **Res. 36-17**

**A Resolution supporting the Medina County District Library's Renewal plus Additional Levy.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 036-17, seconded by Mr. Simpson. Mr. Shields presented the Director of the Medina County district Library Carol Kowell with the resolution. Carol mentioned the passport service and in a few weeks Medina library will also be a GED testing site. Last year they started working with the Medina Co. Sheriff's Department through a grant for Project Read with the county jail. The roll was called and Ordinance/Resolution No. 036-17 passed by the yeas votes of P. Rose, J. Shields, D. Simpson, B. Hilberg, M. Kolesar, and B. Lamb.

#### **Res. 37-17**

**A Resolution supporting the Rape Crisis Center of Medina and Summit Counties and the upcoming awareness and fundraising event, Walk of Heroes on April 7, 2017 at Medina Public Square.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 037-17, seconded by Mr. Simpson. Mr. Coyne will deliver this resolution in person at the event. The roll was called and Ordinance/Resolution No. 037-17 passed by the yeas votes of J. Shields, D. Simpson, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

**Ord. 38-17**

**An Ordinance amending Section 31.02 (B)(2) of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Part-Time Custodian Position for the Service Department.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 038-17, seconded by Mr. Simpson. Mr. Piccoli stated this request will allow for equal pay for the part-time custodian position in the Service Department. This is the only part-time position in the city today that is not at the same pay grade as all the other part-time employees. No additional funds will be necessary or are requested for this request. The roll was called and Ordinance/Resolution No. 038-17 passed by the yea votes of D. Simpson, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

**Ord. 39-17**

**An Ordinance authorizing the purchase of one (1) 2018 Freightliner Cab and Chassis from Valley Freightliner, Inc. for the Sanitation Department.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 039-17, seconded by Mr. Simpson. Mr. Piccoli stated this ordinance and the following ordinance go together to allow for the purchase of a replacement garbage truck, replacing a 2002 rear load packer. We want to purchase this through the state bid process. The roll was called and Ordinance/Resolution No. 039-17 passed by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

**Ord. 40-17**

**An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the purchase of one (1) 25 cubic yard Rear Loader Packer Body for the Sanitation Department.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 040-17, seconded by Mr. Simpson. Nino stated the packer body will be mounted on the city owned cabin chassis he spoke of in the last ordinance. The roll was called and Ordinance/Resolution No. 040-17 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and B. Hilberg.

**Ord. 41-17**

**An Ordinance amending Sections 31.02 (B)(11), 31.05 and 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Associate Planner classification in the Community Development Department and accepting the new job description of Code Enforcement Inspector.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 041-17, seconded by Mr. Simpson. Mr. Mendel stated the employee in this position moved onto another opportunity opening up for a re-evaluation of this position and the job description. Due to the 29 hour a week limit we have on this part-time position, we felt the code enforcement end of the responsibilities was more important as a priority as opposed to the more planning related items. We are in the midst of reviewing applications currently for this position. Mr. Lamb feels the changes better suit the current needs we have in the community. The roll was called and Ordinance/Resolution No. 041-17 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

**To be added to the agenda:**

Mr. Simpson moved to add Ord. 42-17 and Ord. 43-17 to the agenda, seconded by Mr. Kolesar. The roll was called and passed by the yea votes of P. Rose, J. Shields, D. Simpson, B. Hilberg, M. Kolesar, and B. Lamb.

**Ord. 42-17**

**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, 2017 through March 31, 2018.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 042-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 042-17, seconded by Mr. Simpson. Mayor Hanwell stated they do this once every 5 years to review our insurance looking at any new buildings we have acquired and any vehicles we no longer have. They saved by keeping the same insurance company with a reduction of over \$13,000.00. He apologized for the emergency clause, it was on a schedule but due to some employee illnesses and scheduling it now needs the emergency clause so that it takes effect in four days. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 042-17 passed by the yea votes of J. Shields, D. Simpson, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

**Ord. 43-17**

**An Ordinance authorizing the Mayor to enter into a contract with Arthur J. Gallagher & Co. for the City of Medina's Municipal Airport Liability Insurance for the period of April 1, 2017 through March 31, 2018.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 043-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 043-17, seconded by Mr. Simpson. Mayor Hanwell stated the liability for the airport is separately bid because it's kind of a specialty. Staying with Arthur J. Gallagher & Co. will get us a savings of almost \$400.00. Emergency is needed for the same reason mentioned in the above ordinance. The roll was called on adding the emergency clause and was approved by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and B. Hilberg. The roll was called and Ordinance/Resolution No. 043-17 passed by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

**Council Comments:**

Mr. Hilberg reminded the residents that the joint Ward 1 & Ward 2 meeting will be Tuesday, April 4<sup>th</sup> at 7 p.m. at Fire Station #1, 300 W. Reagan Parkway.

Mr. Lamb felt it was a good discussion tonight on the birthing unit. We are all concerned and fully support the efforts that the Mayor is making. Hopefully, we can find a positive resolution to this. He also stated that the library is a wonderful institution that provides all with books and said he can't go a week without a book or two from there.

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Lastly, his friend and neighbor Dave Edmonds last week published a book and he worked on it for a great length of time and it will be available at the library after hard cover.

Mr. Kolesar states he was blind-sided by the announcement of our birthing center closing at Medina Hospital. He is chairman of the Health, Safety and Sanitation Committee and he didn't hear any news on this. Council and the community are already organizing here and we've talked about passing our own resolution. When his nephew was born at Medina Hospital and hearing the chimes go throughout the hospital of a new life being born here in the city, that's important! Being born here in Medina, in this proud community is important, and we need to fight for this.

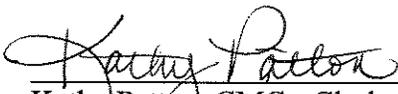
Mr. Kolesar also reported that on April 29<sup>th</sup> a week after Earth Day, he is having an Earth Day / Arbor Day event from 9 to 12 p.m. at Roscoe Ewing Park. We will do a park and stream clean up and hopefully plant some trees during that time as well, and possibly add another wild flower garden to help with Monarch butterflies and bumble bee survival rate.

Mr. Rose stated he is in support of the birthing center staying here in Medina city. He suggested looking at Summa Health Center as a possible birthing center where the not quite fully utilized emergency center is located. Use that center for a birthing unit. We would get what we want and Cleveland Clinic can do what they want.

Mr. Shields stated the Mayor always teaches him to ask the question, "What is special about Medina?". Tonight, he is reminded that the Medina County District Library is special, both the facilities and services, the birthing center at Medina General Hospital and the number of people who cared enough to be here tonight. That just says something about our community.

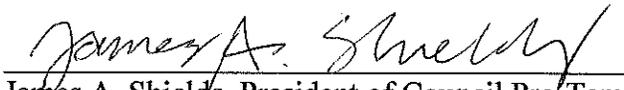
**Adjournment:**

There being no further business before Council, the meeting adjourned at 8:44 p.m.



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Kathy Patton, CMC - Clerk of Council



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James A. Shields, President of Council Pro-Tem