

MEDINA CITY COUNCIL
Monday, April 9th, 2018

Opening:

Medina City Council met in regular, open session on Monday, April 9th, 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 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, Nino Piccoli, Chief Kinney, Jonathan Mendel, Kimberly Marshall, Chief Painter, Michael Wright, Dan Gladish and Jansen Wehrley.

Minutes: Mr. Shields moved that the minutes from the regular meeting on March 26th, 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 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 tonight's Council meeting and will meet again in two weeks.

Health, Safety & Sanitation Committee: Mr. Kolesar had no report, stated there are a few items on the agenda that have to do with the Fire Department but did not go through Health and Safety.

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb reported he held an informative meeting about the Comprehensive Plan.

Streets & Sidewalks Committee: Mr. Simpson had no report.

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

Emerging Technologies Committee: Mr. Rose had no report.

Requests for Council Action:

Finance Committee

18-075-4/9 – Budget Amendments – Carryforward Adjustments

18-076-4/9 – Amend Ord. 33-18, Frontier Service Agreement – IT Dept.

18-077-4/9 – PY16 Private Home Rehab – 3439 Grafton Rd., Brunswick

18-078-4/9 – PY18 CHIP Grant Application

18-079-4/9 – PY18 CHIP Grant Partnership Agreement

18-080-4/9 – Donation to Medina County PAL Program – Police Dept.

18-081-4/9 – Amend Ord. 17-18, Increase Expenditure – USI Insurance

18-082-4/9 – Expenditure Over \$15,000 – Residex Turfgrass – Parks

18-083-4/9 – Authorize Installation of Natural Gas Service – Municipal Airport

18-084-4/9 – Amend Ord. 177-17 (2018 Budget) re: Control of Appropriations

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported the following:

- 1) City of Medina is being showcased in the March/April Cities and Villages Magazine from the Ohio Municipal League. The digital version is posted at www.omlohio.org; go to Cities and Villages tab; then current version. Historic Common Pleas Courthouse is on the cover and article with pictures is about 6 full pages. Thanks to Economic Development Director Kimberly Marshall and Barbara Dzur, Marketing Director for the city's Economic Development Dept. for providing article and photos for this feature. I was interviewed by Executive Director of the Ohio Municipal League Ken Scarrett on February 1st, 2018, and he recommended we share the positive ED programs and efforts of the City of Medina to the rest of the state and suggested aforementioned article and photos.
- 2) Cleveland.com did an article on "most beautiful places" in each county in OH; our Gazebo at Christmas was selected!
- 3) Bicentennial events:
 - a. Sunday, April 15th, 4:00 p.m. at Miss Molly's Tea Room. Mystery Women in Medina's History Historical vignettes. Heavy hors d'oeuvres, desserts, wine, beer, tea and coffee. Tickets: \$25.00 available at Miss Molly's. Seating is limited to 150.
 - b. Bicentennial Website- www.medina200.com
- 4) National Day of Prayer events Thursday, May 3rd
 - a. Williams On the Lake Breakfast 7 a.m.; \$15 tickets - Mayor's office
 - b. Noon Prayer service with students from St. Francis
 - c. United Church of Christ Congregational, 7 p.m., 217 East Liberty St.

Keith Dirham, Finance Director, stated the representatives from RITA were at the Rec Center on Saturday and he was with them helping over 200 tax payers with their RITA forms.

Greg Huber, Law Director, had no report.

Chief Kinney, Police Chief, reported the vehicles that were approved in December 2017 have been equipped and are now on the road being used. Our K-9 Nero is going for his certification testing tomorrow and if all goes well, he will be on the road, certified and working on Wednesday.

Kimberly Marshall, Economic Development Director, reported on Friday, April 20th there are 6 events planned starting at 11 a.m. Grand Opening-Ribbon Cutting for Diner42, 665 Lafayette Rd., 1 p.m. Sandridge Food Corp. 16,000 sq. ft. expansion project, 133 Commerce Dr., 2 p.m. at Sully's for 10 year anniversary celebration, 117 W. Liberty St., 3 p.m. at Siedel's Barber Shop - Grand Opening, 982 N. Court St., 4 p.m. Medina 911 Memorial Ground Breaking Ceremony at Fire Station One on Reagan Pkwy., 5 p.m. (tentative) 17 Public Square Restaurant and Bar Grand Opening.

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Jonathon Mendel, Planning Community Director, had no report.

Chief Painter, Fire Chief, had no report.

Mike Wright, Recreation Center Director, stated the new Spring/Summer brochure is now available online and will also be inserted in the Post Newspaper this Saturday, and hard copies will be available for pick up at the Rec Center on Sunday. The Early Bird 10% off sale for the Memorial Outdoor Pool memberships starts this Sunday April 15th and runs through April 30th and you can purchase those at the Rec Center. The next Rec Advisory Board meeting is Thursday, April 19th at 7:30 a.m. at the Rec Center.

Jansen Wehrley, Parks and Recreation Director, reported next weekend the Medina HS Girls Softball team and the Medina Girls Softball Association will be hosting a Strike-Out for Cancer event at Fred Greenwood Park on Saturday.

Dan Gladish, Building Official, had no report.

Patrick Patton, City Engineer, Absent.

Nino Piccoli, Service Director, reported East Smith Rd. is closed between South Broadway and South Court St. and is scheduled to stay like that until the end of April. Harding Road will remain closed for 30 days. Highland Drive will be closed on Monday, April 16th and is also scheduled for 30 days.

Notices, Communications and Petitions:

There are none.

Unfinished Business:

There are none.

Introduction of Visitors:

Greg Francis resides at 651 Sturbridge Unit #1. He is here to speak about Ordinance 68-18, a proposed change from R-4 residential to SPD-3 Special Planning District at 1011 Wadsworth Rd. He is opposed to the storage units, feels it will negatively impact the property values directly in that vicinity. It will set bad precedence.

Tammy Kirby resides at 246 W. Friendship St. objects to building deck at 132 N. Huntington. She spoke of the Water Tower 5K come volunteer and help them out.

Theresa resides at 755 Victoria Circle came to oppose Ordinance 68-18. Concerned about property values and traffic - doesn't want it in her neighborhood.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 059-18

An Ordinance amending Ordinance No. 177-17, passed December 11, 2017. (Amendments to 2018 Budget-Carryforward Adjustments) Mr. Shields moved for the adoption of Ordinance/Resolution No. 059-18, seconded by Mr. Simpson. Mr. Dirham stated these are transfers or appropriations between lines. The roll was called and Ordinance/Resolution No. 059-18 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, M. Kolesar, B. Lamb, and L. Parnell-Cavey.

Ord. 060-18

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the construction of a new Columbarium Wall at Spring Grove Cemetery. Mr. Shields moved for the adoption of Ordinance/Resolution No. 060-18, seconded by Mr. Simpson. Mr. Wehrley states this is to bid and award the construction of the second columbarium wall and the estimated cost for construction is \$60,000.00 Jansen feels they are in dire need of more niche space at Spring Grove. The roll was called and Ordinance/Resolution No. 060-18 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, M. Kolesar, B. Lamb, L. Parnell-Cavey, and P. Rose.

Ord. 061-18

An Ordinance amending Section 141.01 (b) and (c) of the codified ordinances of the City of Medina, Ohio relative to the advertising and awarding of contracts, Board of Control. Mr. Shields moved for the adoption of Ordinance/Resolution No. 061-18, seconded by Mr. Simpson. Mayor Hanwell stated this is to increase the financial threshold for Board of Control from \$1,000.00 to \$1,500.00. This minor change will permit more effective and efficient processing of expenditures for each of the city departments, as well as finances handling of same or expeditiously. The roll was called and Ordinance/Resolution No. 061-18 passed by the yea votes of D. Simpson, J. Coyne, M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, and J. Shields.

Ord. 062-18

An Ordinance authorizing the purchase of one (1) 2018 Ford F150 4x4 Crew Cab Pickup Truck form Liberty Ford for the Fire Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 062-18, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 062-18, seconded by Mr. Simpson. Chief Painter reported this vehicle will be replacing a 2008 Ford Excursion which was on schedule for replacement and funds were approved. Requesting the emergency clause because dealers are anticipating a cost increase this month. 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. 062-18 passed by the yea votes of J. Coyne, M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, and D. Simpson.

Res. 063-18

A Resolution authorizing an Agreement for grant assistance from the State of Ohio, Ohio Facilities Construction Commission, relative to the Cultural Facilities Community Grant Program for various Medina Town Square Improvement Projects. Mr. Shields moved for the

adoption of Ordinance/Resolution No. 063-18, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 063-18, seconded by Mr. Simpson. Mrs. Marshall stated this will authorize the city to move forward with the State of Ohio FY2019 - 2020 grant application in the amount of \$250,000 to the Ohio Facilities Construction Commission for various Medina Town Square improvements. They are looking at applying for the following projects, Historic District Fire Engine House Museum renovations, lighting and landscape lighting enhancements for Bicentennial Commons, Historic District crosswalk safety improvements, and possibly additional replacement of Historic District lamp posts. Emergency is requested so they can submit their application as soon as possible to get these projects into the queue. 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. 063-18 passed by the yea votes of B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, J. Coyne, and M. Kolesar.

Ord. 064-18

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the 2018 Concrete Street Repair Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 064-18, seconded by Mr. Simpson. Nino Piccoli stated this is an annual project to repair slab sections of concrete pavement in various areas of the city. Engineer Department is requesting \$375,000 for this year's project. \$350,000 will come from the 108 Fund and remaining balance of \$25,000 will be provided by the Water Fund and that is to repair pavement damaged as a result of water breaks through the year. The roll was called and Ordinance/Resolution No. 064-18 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, M. Kolesar, B. Lamb, and L. Parnell-Cavey.

Ord. 065-18

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the 2018 Concrete Pavement Joint Sealing Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 065-18, seconded by Mr. Simpson. Nino stated this is the city's annual maintenance project for concrete pavement, periodic joint sealing preserves pavement and extends its useful life. The roll was called and Ordinance/Resolution No. 065-18 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, M. Kolesar, B. Lamb, L. Parnell-Cavey, and P. Rose.

Ord. 066-18

An Ordinance authorizing the Mayor to execute a Release and Discharge of Easement for Signal Purposes for TRC Medina Shopping Center Investors Ltd. Mr. Shields moved for the adoption of Ordinance/Resolution No. 066-18, seconded by Mr. Simpson. Nino reported in 2006, the Medina Shopping Center donated an easement to the City of Medina to allow the City to install traffic signal equipment on their property at the main entrance. With the construction on US 42 Project, the main entrance for the shopping center has been moved away from this easement area and as a result the signal easement is no longer necessary. ODOT previously acquired the right-of-way at the location of the new entrance in order to accommodate the new traffic signal equipment. The roll was called and Ordinance/Resolution No. 066-18 passed by the yea votes of D. Simpson, J. Coyne, M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, and J. Shields.

Res. 067-18

A Resolution supporting the City of Medina partnering with Montville Township and Medina Township to apply for a grant by the Ohio Auditor of State for a Shared Service Feasibility Study to study the feasibility of establishing a Joint Fire District. Mr. Shields moved for the adoption of Ordinance/Resolution No. 067-18, seconded by Mr. Simpson. Mayor Hanwell reported he and Mr. Kolesar represent the City on the Fire District Committee currently, and there are also representatives from Montville and Medina Townships, and we all are applying to the Auditor of the State for a free assessment and analysis of our fire equipment, staffing, fire district, as well as the locations of our fire stations. It is a competitive grant, there's no charge if we are awarded. The roll was called and Ordinance/Resolution No. 067-18 passed by the yea votes of J. Coyne, M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, and D. Simpson.

Ord. 068-18

An Ordinance rezoning Parcel No. 028-19D-09-087 located at 1011 Wadsworth Road from R-4, Multi-Family Residential to SPD-3, Special Planning District. Mr. Shields moved for the adoption of Ordinance/Resolution No. 068-18, seconded by Mr. Simpson. Mr. Mendel stated the Planning Commission reviewed and recommended denial to City Council for the legislative process. Planning Commission stated it didn't meet findings in 1114.04 of the Zoning Code. It had a public hearing on March 26th and now is hear for ordinance. Mark Kolesar stated he doesn't feel this commercial use here is adequate for a strictly residential area, and he asks that Council votes this down. Mr. Lamb stated he previously spoke in favor of it, but understands the semi kind of sanctity of where you live, because you are there and that is your investment and we need to do the right thing with regard to neighborhoods and he will also vote no. The roll was called and Ordinance/Resolution No. 068-18 FAILED by the nay votes of M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, D. Simpson, and J. Coyne. Jim Shields cast a yea vote.

Ord. 069-18

An Ordinance amending Ordinance No. 33-18, passed February 26, 2018, relative to the Frontier Services Agreement with Frontier Communications. Mr. Shields moved for the adoption of Ordinance/Resolution No. 033-18, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 033-18, seconded by Mr. Simpson. Mr. Dirham stated the emergency clause is needed due to a temporary promotion that saves us this money on this 3 year contract saving us \$262.00 a month. 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. 033-18 passed by the yea votes of B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, J. Coyne, and M. Kolesar.

Res. 070-18

A Resolution objecting to the Liquor Permit Transfer from Medina Steakhouse Inc. dba Medina Steakhouse and Saloon & Porch & Patio to Recovery Center of Medina County, Serenite Restaurant & Porch & Patio, 538 West Liberty Street. Mr. Shields moved for the adoption of Ordinance/Resolution No. 070-18, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 070-18, seconded by Mr. Simpson.

Mr. Huber explained Council voted at the last meeting with the majority to object. If there is to be an objection, we have to pass a resolution stating the grounds for objection and that resolution has to be sent down to the State of Ohio Liquor Board by no later than April 19th 2018 and if you are going to object you have to pass it today. Mr. Coyne feels it is important that at the next Council meeting, we have a meeting or Special Council meeting just to get more clarification on the facts related to the operations located at Serenite, more and more information is coming out that we did not have before that is important that the public understand and be privy to. Mr. Simpson stated he will be voting no. The main reason being the Recovery Center is so important – the major problem has been heroin, cocaine and methamphetamines where people may only try it one time and did not survive. A grant that the courts obtained will probably only last approximately three years, maybe even less. To sustain that program continuing, he would hope that the Serenite Restaurant, although they will be serving alcohol, will be successful and be able to sustain the recovery effort for these individuals that are in desperate need. Mr. Lamb stated he voted to deny the permit at the last Council meeting, but he had an opportunity over the weekend to go to a recovery program at the UCC Church in Medina for a community dinner and talked to the Director of the Recovery Center, where it became clear to him that there is more of a separation than he understood there to be. Mr. Kolesar will be voting to object the permit transfer like he did before. He still believes in less temptation and feels alcohol is not the right choice. The roll was called on adding the emergency clause and was approved by the yea votes of J. Shields, J. Coyne, M. Kolesar, L. Parnell-Cavey, and P. Rose. B. Lamb and D. Simpson cast a nay vote. The roll was called and Ordinance/Resolution No. 070-18 passed by the yea votes of P. Rose, J. Shields, J. Coyne, M. Kolesar, and L. Parnell-Cavey. B. Lamb and D. Simpson cast a nay vote.

Council Comments:

Mr. Kolesar announced Earth Day on April 22, 2018. The Medina County Park District is having an Earth Day Festival on Saturday, April 21st 10 a.m. – 4 p.m. at Buffalo Creek Retreat, 870 Hubbard Valley Rd. in Seville. On April 28th the public can meet at 9 a.m. at Fire Station #1, 300 W. Reagan Parkway. They will be planting trees on Reagan Parkway.

Mr. Simpson thanked Mr. Kolesar for his continued work with Earth Day and throughout the year. Dennie asked with our current political environment, not locally but nationally, to just be kind to one another. Thanked Judges Kimbler and Collier for efforts with Drug Court in Medina County.

Mr. Rose spoke of how he blasted Senator Larry Obhoff and several members of the Ohio Senate for approving the cell tower bill, allowing them to place cell towers wherever they pleased. Mr. Obhoff has stated right now there is a bill to limit those controls the cell tower companies have, and they have to work with the cities on their placement. Paul wished his wife a Happy Birthday.

Mrs. Parnell-Cavey stated she is the Vice President for Faith in Action, and announced they are having their annual What Women Want Event on April 12th. The funds raised will go towards transportation for the elderly in Medina County. It is a great fundraiser. Ladies Night Out is happening on the Square on the same day starting at 6 p.m. Castle Noel is having Santa Day on May 12th so be on the lookout for Santa's on that day!

Mr. Coyne reminded everyone that next Tuesday is Tax Day. John also stated that their first Budget

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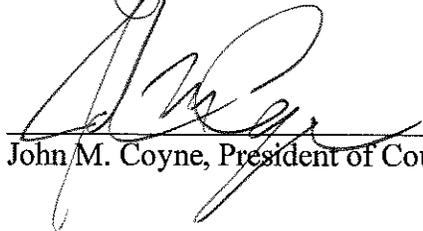
Meeting will be on Wednesday, April 18, 2018 at 5:30 p.m.

Adjournment:

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



Kathy Patton, CMC - Clerk of Council



John M. Coyne, President of Council