

MEDINA CITY COUNCIL  
Monday, April 24th, 2017

**Opening:**

Medina City Council met in regular, open session on Monday, April 10th, 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 J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

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 April 10<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 D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

**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.

Public Properties Committee: Mr. Shields states no report but there is one item that was assigned.

Special Legislation Committee: Mr. Lamb stated they had a meeting last week with a solid discussion about a number of issues regarding zoning. They will be on the Finance agenda next meeting. He stated he appreciates the work that the Planning Commission has done to make clarifications and clean up areas in the code.

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:**

**Finance Committee**

- 17-068-4/24 – Elected Official Salary Review Committee Recommendation
- 17-069-4/24 – Parking Over Sidewalks/Overnight Street Parking Discussion
- 17-070-4/24 – PY14 CHIP Grant Private Rehab Project – 1037 Oak Street
- 17-071-4/24 – State Bid – Purchase 2017 GMC Sierra for Sanitation Dept.
- 17-072-4/24 – Amend S&B Code 31.02 & Accept MCRC P/T Pay Scale (Muni Pool)
- 17-073-4/24 – Job Creation Grant – Carlisle Brake & Friction, Inc.
- 17-074-4/24 – ODOT 2017-2018 Salt Purchasing Program
- 17-075-4/24 – N/S Taxiway Reconstruction – Amendment #8 – Delta Airport Consultants

Medina City Council  
April 24th, 2017

17-076-4/24 – Amend Ord. 101-16 re: Masonic Temple / Theatre Demolition  
17-077-4/24 – Discussion - Amend Expenditure to Crossroads Asphalt – Castle Noel Lot

**Reports of Municipal Officers:**

Dennis Hanwell, Mayor, reported the following:

- 1) Children’s Center of Medina County event on Square Sunday, April 23rd 1 p.m. to 3 p.m. - 466 pinwheels were placed in the front yard of St. Francis Church to draw awareness of the number of reported cases of child abuse in Medina County during 2016.
- 2) Arbor Day for City of Medina is designated as Thursday, April 27th. Trees will be presented to third graders in Medina City Schools
- 3) Dr. Tom Tulisak will resign as Medina Hospital President effective May 1st. I would like to thank Dr. Tulisak for his leadership and collaboration with the city during his tenure. Thankful he will remain in private practice in Medina. Medina Hospital has improved services under his leadership.
- 4) National Day of Prayer Events Thursday, May 4th:
  - 7 a.m. Prayer Breakfast Williams On the Lake - \$15 tickets available at Medina Community Church & Mayor’s office. Speaker Rev. Arthur Ruffin, Second Baptist Church.
  - Noon Prayer Service on the Square. Rain Location - United Church of Christ Congregation
  - 7 p.m. Evening Service at Heartland Community Church, 3400 Weymouth Rd.
- 5) Thursday, May 11th noon to 3 p.m. - National Drug Court Awareness event on Medina Public Square. Free hotdogs will be served.

**Keith Dirham, Finance Director**, stated they are having their first budget hearing for the 2018 to 2022 5-Year Plan this week. The second group of budgets are being worked on by the department heads.

Keith also thanked, on behalf of the Kiwanis Club that he is a member of, the Mayor and the Parks Department for their help potting the 600 trees they will be giving out to the 3<sup>rd</sup> graders later this week.

**Greg Huber, Law Director**, expressed his own observations with respect to Dr. Tulisak who has been required to meet with him to solve a number of different problems that have come up with LST or issues with the helicopter problem we had. He has been such fine leader for the Medina Hospital. He is going to be missed.

Medina City Council  
April 24th, 2017

**Lt. Birckbichler, Acting Police Chief,** had no report.

**Kimberly Marshall, Economic Development Director,** stated this Friday, April 28<sup>th</sup> there are a few ribbon cutting ceremonies. The first one is 9 a.m. to celebrate the Easter Seals of Northern Ohio have leased a space at 124 N. Court Street and at 4 p.m. the Grand Reopening for Snap Fitness at 919 N. Court St.

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

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

**Mike Wright, Recreation Center Director,** stated that the new outdoor Memorial Pool presale for season passes started Saturday, April 15<sup>th</sup> at the Rec. Center. They are currently running a 10% off sale through Sunday, April 30<sup>th</sup> and have an opening date scheduled for Memorial Day weekend!

The next Rec. Advisory Committee meeting is Thursday, May 18<sup>th</sup>, at 7:30 a.m. at the Rec. Center.

**Jansen Wehrley, Parks and Recreation Director,** stated that the Forestry Dept. is still in the process of planting a number of trees throughout town. Please be patient with us during this process. We had a very successful Bagatway Lacrosse Tournament this past weekend and this weekend is another very large travel baseball tournament at Reagan Park and Ray Mellert Park for Hot Stove.

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

**Patrick Patton, City Engineer,** notified the residents that Tuesday & Wednesday evenings they will be doing concrete pour on West Smith Rd. This will be overnight starting at 7 p.m. and lasting until 6 or 7 a.m.

**Nino Piccoli, Service Director,** stated there is a company known by Home ID USA that has been taping flyers to mailboxes in residential neighborhoods throughout the city. The company is soliciting residents offering to paint their addresses on the curbs in front of their homes as well as flag logos on the curb. They have not secured a solicitors permit from the Police Department which is required, and secondly, no person or company is permitted to paint on city streets or curbs without approval of the city, and this group does not have such approval.

The City Sanitation Department will be implementing a new yard waste program and they are hopeful to start on May 22<sup>nd</sup> of this year. Yard waste consists of grass clippings, leaves, twigs, branches and shrubbery. We will not pick up rocks, dirt, sod, plastic bags, food waste or gravel. There will be additional information on the cable channels as well as on the city website.

**Notices, Communications and Petitions:**

There were none.

**Unfinished Business:**

There was none.

**Introduction of Visitors:**

There were none.

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

**Ord. 49-17**

**An Ordinance authorizing the payment of \$28,000 to GB Hawk construction Co., for the Private Home Rehabilitation of 409 E. North Street, Medina as part of the PY16 CHIP Program.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 049-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 049-17, seconded by Mr. Simpson. Mr. Mendel stated this is for a CHIP Grant Project for a private rehabilitation for \$28,000. Emergency is requested due to the nature of the CHIP Program. The roll was called on adding the emergency clause and was approved by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 049-17 passed by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

**Ord. 50-17**

**An Ordinance authorizing the expenditure of \$64,000.08 to Emergitech, Inc. for the annual subscription fees and related expenses for the Computer Aided Dispatch and Records Management System for the Police Department.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 050-17, seconded by Mr. Simpson. Lt. Birchbickler stated this is for 2017 maintenance fees for the Police computer system and all of the software including the support for the mobile applications. The roll was called and Ordinance/Resolution No. 050-17 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

**Res. 51-17**

**A Resolution authorizing the Mayor to file an application for grant assistance with the Lowe's Charitable and Educational Foundation for a grant in the amount of \$25,000 for the purpose of subsidizing the renovation of the upstairs room of the Engine House on Public Square.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 051-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 051-17, seconded by Mr. Simpson. Mr. Mendel states this is an application for \$25,000 to the Lowe's Charitable Educational Foundation for a grant to help pay for the continued cost of the renovation at the Engine House. Emergency is requested so that we can get the application in by the deadline. Mr. Lamb stated he appreciates the work done by the administration helping put the grant together. Mr. Lamb said they have a little over \$40,000 already contributed through the CDC and a donation from the Van Epp family. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb. The roll was called and Ordinance/Resolution No. 051-17 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

**Ord. 52-17**

**An Ordinance authorizing the Mayor to sign the Letter of Arrangement with the Auditor of State Dave Yost for the preparation of the annual audit for the City of Medina for the fiscal period ending December 31, 2016.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 052-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 052-17, seconded by Mr. Simpson. Mr. Dirham stated this is for their annual audit. The Auditor of State's Office is doing the audit themselves. We don't have a lot of choice, we are required to have an audit. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 052-17 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

**Ord. 53-17**

**An Ordinance authorizing the Mayor to enter into Sponsorship and Sponsor Agreements with Partner Marketing LLC for the purpose of finding persons and companies which desire to place sponsorships inside the Medina Recreation Center.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 053-17, seconded by Mr. Simpson. Mr. Wright stated this ordinance is in regards to the Sponsorship Program for the Medina Rec. Partner Marketing is the firm that was chosen through the RFP (request for proposal) and these are the agreements before you. He thanked the Law Department and the administration, along with Rec Advisory Board and Sponsorship Committee for all of their efforts in this process. The school will be reviewing these agreements in May for their approval. Mr. Shields stated that because this potentially benefits his employer he will abstain from voting. The roll was called and Ordinance/Resolution No. 053-17 passed by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and D. Simpson. J. Shields abstained.

**Ord. 54-17**

**An Ordinance repealing and replacing Ordinance No. 4-16, passed January 11, 2016 relative to the Miscellaneous Processing Fees for the Medina Community Recreation Center.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 054-17, seconded by Mr. Simpson. Mr. Wright stated this ordinance is to approve several processing fees for the Recreation Center. This also includes a fee so patrons can now pay for their annual membership monthly, which was a request from the patrons. The roll was called and Ordinance/Resolution No. 054-17 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

**Ord. 55-17**

**An Ordinance amending Ord. 127-15, passed October 26, 2015 relative to Membership Rates for the Medina Community Recreation Center.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 055-17, seconded by Mr. Simpson. Mr. Wright stated this ordinance is to change the "Aquatics Area Only" day pass fee from \$3.00 to \$4.00 for qualified groups. Please note that this has not changed since we opened in 2002. The roll was called and Ordinance/Resolution No. 055-17 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

**Ord. 56-17**

**An Ordinance establishing Program Rates and Pool Rental Rates for the newly renovated Memorial Park Pool.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 056-17, seconded by Mr. Simpson. This ordinance is for the Memorial Pool rental fee rates for the Cabana and before/after hour pool parties. This also designates that the daily admission rates will still apply separately for these rentals. The roll was called and Ordinance/Resolution No. 056-17 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, B. Hilberg, and M. Kolesar.

**Ord. 57-17**

**An Ordinance amending the Aquatics Program Fees for the Medina Community Recreation Center and the Memorial Park Pool.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 057-17, seconded by Mr. Simpson. This ordinance is designating that all Aquatic program fees for the Memorial Pool will be the same as the Recreation Centers. Mr. Simpson stated we are getting closer and closer to the grand opening of our new Municipal Pool and he wanted to thank Mr. Wright and his staff, Mr. Wehrley and his staff, Mr. Piccoli and his staff, the Building Inspector, Patrick Patton, the Mayor and everybody involved. The roll was called and Ordinance/Resolution No. 057-17 passed by the yea votes of P. Rose, J. Shields, D. Simpson, B. Hilberg, M. Kolesar, and B. Lamb.

**Ord. 58-17**

**An Ordinance to clarify and unify the Codified Ordinances of the City of Medina, Ohio by amending various sections of Part 11 – Planning and Zoning Code.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 058-17, seconded by Mr. Simpson. Mr. Mendel stated this is the outcome of a process that started at the February 9<sup>th</sup>, 2017 Planning Commission Meeting where staff presented and recommended changes to the Zoning Code. Mostly housekeeping / clean-up of various sections where mistakes were made or omissions created during the 2014 adoption of the sizable redo of the Zoning Code. The roll was called and Ordinance/Resolution No. 058-17 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

**Res. 59-17**

**A Resolution authorizing participation in the Ohio Department of Transportation's Cooperative Purchasing Program for the purchase of sodium chloride (rock salt).** Mr. Shields moved for the adoption of Ordinance/Resolution No. 059-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 059-17, seconded by Mr. Simpson. Mr. Piccoli stated the emergency is needed due to the fact that the city received notification for this participation in the salt contract after the last council meeting. This is our annual salt contract. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson. The roll was called and Ordinance/Resolution No. 059-17 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

**Ord. 60-17**

**An Ordinance authorizing the Mayor to enter into a Regional Council of Governments (RCOG) Agreement with the Regional Income Tax Agency (RITA) for the collection of**

**municipal income tax for the City of Medina, Ohio.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 060-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 060-17, seconded by Mr. Simpson. Mr. Dirham stated the City of Medina has had CCA which is the City of Cleveland's Income Tax Agency, collect our income tax for about 40 years, and we began looking into other options but the State was talking about taking it over. Council made the decision to switch over to RITA. Emergency is needed in order to provide 6 months of notice to CCA that we are switching providers. Application for RITA needs to be in by May 5<sup>th</sup>, 2017 for approval. Mr. Coyne stated a number of residents had complaints with CCA and their services. The roll was called on adding the emergency clause and was approved by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 060-17 passed by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

**To be added to the agenda:**

Mr. Shields made a motion to add Ordinance 061-17 to tonight's agenda, seconded by Mr. Simpson. The roll was called and passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

**Ord. 61-17**

**An Ordinance amending Ordinance No. 150-16, passed October 27, 2016 pertaining to the Agreement with Medina United Methodist Church and Mark Klaus, LLC for the use of parking lot areas located on South Court Street.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 061-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 061-17, seconded by Mr. Simpson. Mayor Hanwell stated that the previous ordinance authorized \$38,900 for a four year term of the agreement so the city had a fair amount of time for the investment. Last week when we attempted the grinding of the parking lot, we determined the base was not adequate to support the investment of the repaving over top of it which then added additional costs raising the price from \$38,900 to \$55,000. In exchange, we met with Mark Klaus to discuss this and he has agreed to extend the term from four years to six years because of the additional investment. This parking lot is being used by the public during our Farmer's Market and events on the square. The emergency is needed due to parking lot being unusable at the current moment. Mr. Kolesar will abstain due to his employment. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and B. Lamb. The roll was called and Ordinance/Resolution No. 061-17 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

**Council Comments:**

Mr. Rose stated one constituent that challenged him with regards to his comment about voting with your wallet and going where ever you want to go for emergencies and he just wants to be very clear that when there is an emergency you go where you need to go, but keep in mind that within a span of one mile there are three emergency/urgent care places you can chose from.

Mr. Shields announced that Tuesday, May 2<sup>nd</sup> at 7 p.m. he and Mr. Kolesar will be hosting a Ward

Medina City Council  
April 24th, 2017

3 and Ward 4 Neighborhood Meeting at Ella Canavan Elementary School 825 Lawrence St. in the commons.

Mr. Kolesar thanked Kiwanis for their annual contribution to this community recognizing Arbor day with 600 red oak trees. This Saturday, April 29<sup>th</sup> from 9 a.m. to 12 p.m. we are having an Arbor Day/Earth Day event at Roscoe Ewing Park on Guilford Blvd. in the parking lot. This will consist of tree planting, creek clean up and trash pickup. We will supply trash bags and gloves to use.

Mr. Simpson congratulated Bobbie Foy for getting the Homer Smith Teacher of the Year Award for Medina County. Less than 5 weeks away our new municipal public pool is opening. There are summer passes available now.

Mr. Lamb stated tomorrow at H2 Winery, Dave Edmonds, a local resident wrote a book called Personal Pronouns, and he will be there for a book signing from 4 -6 p.m.

Kings Daughters and Sons is having its annual rummage sale on East North St. this Thursday and Friday at Knights of Columbus.

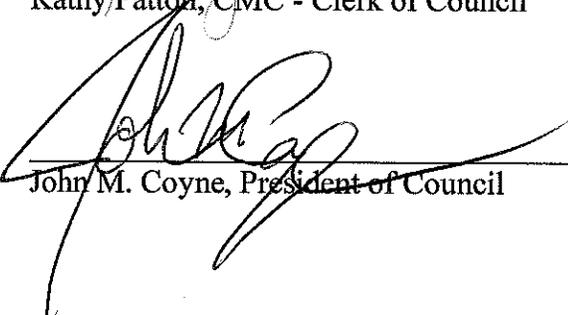
June 10<sup>th</sup> is the rock concert on the square with more details to follow.

Dolly Yowler sent email out on the loss of our birthing center at Medina Hospital.

**Adjournment:**

There being no further business before Council, the meeting adjourned at 8:15 p.m.

  
\_\_\_\_\_  
Kathy Patton, CMC - Clerk of Council

  
\_\_\_\_\_  
John M. Coyne, President of Council