

MEDINA CITY COUNCIL
Monday, September 11th, 2017

Opening:

Medina City Council met in regular, open session on Monday, September 11th, 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 D. Simpson, J. Coyne, B. Hilberg, B. Lamb, P. Rose, and J. Shields. Mark Kolesar 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, Mike Wright, and Jansen Wehrley.

Minutes:

Mr. Shields moved that the minutes from the regular meeting on August 28th, 2017 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 J. Coyne, B. Hilberg, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated they met prior to tonight's Council meeting and will meet again in two weeks, there are several items on tonight's agenda.

Health, Safety & Sanitation Committee: Mr. Kolesar – Absent

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb had no report.

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

- 17-156-9/11 – Spring Grove Cemetery – Master Plan Proposal Discussion
- 17-157-9/11 – Amendment #9 – N-S Taxiway Reconstruction @ Airport
- 17-158-9/11 – Establish Speed Limit on SR 18
- 17-159-9/11 – Exp. Over \$15,000 - Purchase 2018 F-150 Pick Up Truck – Water Dept.
- 17-160-9/11 – Budget Amendments
- 17-161-9/11 – Fund Transfer – Jedd Fund to Bicentennial Fund
- 17-162-9/11 – Fund Transfer – General Fund to Bicentennial Fund
- 17-163-9/11 – Expenditure for 2017 Holiday Lighting
- 17-164-9/11 – Revocable Use Permit – 260 S. Court Street
- 17-165-9/11 – Renewal of Backup Chief Building Official Agreement w/ Brunswick

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported the following:

- 1) Police Chief testing in process. Assessment center completed and written test scheduled for September 14th, 2017. Candidates then have a period to review before list and top names are certified to me. Hope to complete by early October.
- 2) Tunnel to Towers event Sunday, September 10th. We attended and participated in by our staff and safety forces. Monies raised help build “smart homes” for our wounded military members missing multiple limbs so they may live independently safely.
- 3) Fire District Advisory Committee - One Trustee and three residents from both Medina and Montville Township. City representatives will be Chair of Health Safety, Councilman Mark Kolesar, resident Gary Linden, business owner Mark Williams, and myself. Purpose is to review current operations and discuss need for additional staffing hours or days in relation to our call stats. Once that is reviewed, we will begin process of reviewing the formation of a fire district for all three jurisdictions.
- 4) Thanks to all residents and visitors to the newly renovated and reopened Medina City Pool. Well attended and used, even with some cooler summer days.
- 5) Thanks to Ms. Debra Hallock, for establishing a new nonprofit to raise funds for future needs of Memorial Park and Pool.

Keith Dirham, Finance Director, stated the General Funds Budgets have been submitted and are scheduled for review and those will be started later this week.

Greg Huber, Law Director, had no report.

Lt. Birekbichler, Acting Police Chief, stated on September 6th, officers from the Medina City Police Department in cooperation with Medina County Drug Task Force, US Marshall Service, the DEA, Medina County Sheriff’s Office, and Ohio BCI conducted a drug bust in the City of Medina. Total of 29 indictments were handed down, 17 of those were Federal indictments. 12 were State indictments.

Two employees of the Medina Police Department have been called up for active duty to assist in the recovery and rescue operations in Texas and Florida.

Kimberly Marshall, Economic Development Director, had no report.

Jonathon Mendel, Planning Community Director, had no report.

Chief Painter, Fire Chief, Stated the Fire Department will be hosting their annual Open House and Safety Day On Saturday, October 14th from 11 a.m. to 2 p.m. at Fire Station #1 located at 300 W. Reagan Parkway. Free event, rain or shine. There will be emergency vehicles, popcorn, hot dogs and even a helicopter for the kids.

Mike Wright, Recreation Center Director, stated they have a Rec Advisory Committee Meeting on Thursday, September 21st at 7:30 a.m.

Jansen Wehrley, Parks and Recreation Director, stated the splashpads are closed for the season as of Labor Day. They just performed a reroute of the mountain bike trail at Huffman and Cunningham Park and ask that the trail users obey the signs.

Dan Gladish, Building Official, had no report.

Patrick Patton, City Engineer, stated the Concrete Street Repair project is well on its way, this is where we replace concrete slabs in the pavement all throughout town. ODOT is starting two bridge projects in the city, one is on N. Harmony, and the other on West Smith. Both locations, the road will have to be closed at the bridge for 90 days. These are city bridges and the State is paying for them.

Nino Piccoli, Service Director, stated that if approved by City Council, the annual City Auction will be Saturday, October 21st at the City garage, 781 West Smith Road, the preview will be at 9 a.m. and the auction will start promptly at 10 a.m.

Confirmation of Council Appointments

Fire District Advisory Committee – City of Medina Representatives:

Mayor – Dennis Hanwell – Chair Safety Director
Chair of Health, Safety, Sanitation Committee – Mark Kolesar
Resident Representative – Gary Linden
Business Representative – Mark Williams

Mr. Shields moved to confirm Council's appointments for the Fire District Advisory Committee, seconded by Mr. Simpson. Motion passed by the yeas and nays of B. Hilberg, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Notices, Communications and Petitions:

There were none.

Unfinished Business:

There was none.

Introduction of Visitors:

Stanley Scheetz, Attorney - 225 East Liberty St. representing and introducing his client Brian Russell. Mr. Russell explained he didn't realize how challenging it would be to get approval on the storage units, especially with the type of smaller homes going up with the need for storage. The site on Rt. 57 across from the Fire Station he felt was a perfect location. He felt it wouldn't offend anyone. These storage units would be for household goods. He has never had any safety troubles with his units. The design doesn't show any windows or doors and esthetically the

buildings would be appealing. He has cameras 24 hours, with low lights on the buildings. No issues with traffic with people coming and going. He spoke with the neighbors and none of them had any concerns. He wishes Council would consider this.

Kevin Lewis, 4945 Mandarin Drive in Seville was here from the Laborer's District Council of Ohio – Laborers-Employers Cooperation and Education Trust Labor Union. He stated he came to do some PR work and is interested in man-hours for when you bid out a project to construction companies. Medina County is part of the Akron Local. They are certified and they are not State funded.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 118-17

An Ordinance authorizing the Job Creation Grant Agreement for Spray Products Corporation. Mr. Shields moved for the adoption of Ordinance/Resolution No. 118-17, seconded by Mr. Simpson. Kimberly Marshall stated this is for the Mayor to enter into a Job Creation Grant Agreement for Spray Products Corporation for the purpose of acquiring a building at 1000 Lake Rd. This agreement has been reviewed and approved by the Law Director. The roll was called and Ordinance/Resolution No. 118-17 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 119-17

An Ordinance amending Sections 31.02(D), 31.05 and 31.07.7 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Fire Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 119-17, seconded by Mr. Simpson. Chief Painter stated this is for elimination of the First Assistant Chief position, it was vacated due to retirement. A clean up of the title for the 2nd Assistant Chief Fire Marshal is a full time position and it would change to Assistant Chief Fire Marshall, no change in job description or salary. Lastly, add two part time Lieutenant positions. The roll was called and Ordinance/Resolution No. 119-17 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and B. Lamb.

Res. 120-17

A Resolution authorizing an Application for Grant Assistance from the State of Ohio, Ohio Public Works Commission, relative to Issue 1 and LTIP Program Funding for the South Broadway Reconstruction Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 120-17, seconded by Mr. Simpson. Mr. Patton stated they are recommending South Broadway St. for a complete reconstruction of pavement, installation of new storm sewer, water lines and try to save as much of the sidewalks as possible. Grant application will ask for \$478,000. Mr. Lamb stated this is no decision on whether the street is brick or concrete but is hoping for the reconstruction to be in brick without necessitating financing from the property owners. The roll was called and Ordinance/Resolution No. 120-17 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, B. Lamb and P. Rose.

Res. 121-17

A Resolution donating fifteen Dell Computers to the Medina City Schools. Mr. Shields moved for the adoption of Ordinance/Resolution No. 121-17, seconded by Mr. Simpson. Mayor Hanwell

stated these are 15 computers that the City would normally send to auction, the schools can benefit another 4 to 5 years with them. The roll was called and Ordinance/Resolution No. 121-17 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, B. Lamb, and P. Rose. J. Shields abstained.

Res. 122-17

A Resolution establishing a Blanket Purchase Order Amount Limit as required by Ohio Revised Code 5705.41 (D)(3). Mr. Shields moved for the adoption of Ordinance/Resolution No. 122-17, seconded by Mr. Simpson. Mr. Dirham stated this originated with the audit, these limits already applied but the auditors would like them to be more explicitly applied to blanket purchase orders. The roll was called and Ordinance/Resolution No. 122-17 passed by the yea votes of J. Coyne, B. Hilberg, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 123-17

An Ordinance authorizing the Mayor to advertise for the auction, sale or disposal of City equipment and vehicles no longer in use. Mr. Shields moved for the adoption of Ordinance/Resolution No. 123-17, seconded by Mr. Simpson. Mr. Piccoli stated they have many items for the auction sale on Saturday, October 21st. The roll was called and Ordinance/Resolution No. 123-17 passed by the yea votes of B. Hilberg, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Res. 124-17

A Resolution extending the Intensive Supervision Probation Grant for the Medina Municipal Court through the fiscal year 2019. Mr. Shields moved for the adoption of Ordinance/Resolution No. 124-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 124-17, seconded by Mr. Simpson. Mayor Hanwell stated this is an annual grant for the Municipal Court to pay for their Intensive Supervision Probation Grant. 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. 124-17 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 125-17

An Ordinance authorizing the purchase of one (1) 2017 Ford F550 4 wheel drive Truck equipped with a utility bed from Montrose Ford for the Street Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 125-17, seconded by Mr. Simpson. Mr. Piccoli stated this truck if approved will replace a 1993 International utility sign truck used in the Streets Department. This 550 will serve as an all-purpose truck that will plow snow, pull asphalt trailer and so much more. We are requesting \$60,806. The roll was called and Ordinance/Resolution No. 125-17 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, B. Lamb and P. Rose.

Ord. 126-17

An Ordinance amending Section 31.02(B)(6) of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Intensive Supervision Probation employees for the Municipal Court. Mr. Shields moved for the adoption of Ordinance/Resolution No. 126-17, seconded by Mr.

Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 126-17, seconded by Mr. Simpson. Mayor Hanwell stated this amends the Salaries and Benefits Code relative to the positions that are funded through this grant as well as the hourly rates for those. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, B. Hilberg, B. Lamb, P. Rose, J. Shields, and D. Simpson. The roll was called and Ordinance/Resolution No. 126-17 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, B. Lamb, P. Rose, and J. Shields.

Ord. 127-17

An Ordinance amending the Pavilion Rental Fees for the Parks and Recreation Department.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 127-17, seconded by Mr. Simpson. Jansen stated this is to change the wording for the garbage removal from per day to per collection to better coordinate with event coordinators for the events we have up on the square. Mr. Lamb feels that the economic benefit outweighs changing the fees and he will vote against. The roll was called and Ordinance/Resolution No. 127-17 passed by the yea votes of B. Hilberg, P. Rose, J. Shields, D. Simpson, and J. Coyne. B. Lamb cast a nay vote.

Ord. 128-17

An Ordinance authorizing the Mayor to accept one (1) Easement necessary for the West Smith Bridge Replacement Project.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 128-17, seconded by Mr. Simpson. Mr. Patton states this easement relates to the West Smith Bridge. Patrick states ODOT is paying for the easement. Mr. Huber stated this is a result of eminent domain case, the property involves Chris Kalina. The roll was called and Ordinance/Resolution No. 128-17 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 129-17

An Ordinance amending Ordinance No. 91-17, passed June 12, 2017, relative to an amendment to the Fire Service Contract between the City of Medina and Medina Township.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 129-17, seconded by Mr. Simpson. Mayor Hanwell stated there are two minor changes to the previous contract with dates and changing that either party can terminate to 12 months. The roll was called and Ordinance/Resolution No. 129-17 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and B. Lamb.

Ord. 130-17

An Ordinance amending Sections 31.13(2)(C) and 31.16 of the Salaries and Benefits Code of the City of Medina, Ohio relative to Vacation and Group Hospitalization.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 130-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 130-17, seconded by Mr. Simpson. Mr. Dirham stated these were somethings left off when we made the Salaries and Benefits Code match to what the contracts are, and the emergency clause is needed because they are currently somewhat undefined. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, J. Coyne, B. Hilberg, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 130-17 passed by the yea votes of J. Shields,

D. Simpson, J. Coyne, B. Hilberg, B. Lamb and P. Rose.

Ord. 131-17

An Ordinance amending Ordinance No. 63-17, passed May 8, 2017 relative to the Job Creation Grant Agreement for Carlisle Brake & Friction, Inc. Mr. Shields moved for the adoption of Ordinance/Resolution No. 131-17, seconded by Mr. Simpson. Mrs. Marshall stated that after the agreement was signed, their attorney wanted verbiage in contract to include Friction Products Company, as they are a wholly owned subsidiary of Carlisle Brake & Friction and is the actual entity creating the jobs. The roll was called and Ordinance/Resolution No. 131-17 passed by the yea votes of J. Coyne, B. Hilberg, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 132-17

An Ordinance amending Sections 1127.04 and 1127.05 of the Planning and Zoning Code of the City of Medina, Ohio pertaining to Conditionally Permitted Uses in the R-4 District, and Lot Development Standards. Mr. Shields moved for the adoption of Ordinance/Resolution No. 132-17, seconded by Mr. Simpson. Mr. Huber stated the applicant requests that we amend our zoning code and add as a conditionally permitted use low rise residential storage unit. Planning Commission voted against the request. Six council members would have to vote to modify what the Planning Commission did, otherwise we don't meet the requirements of the code section. Mr. Rose stated the Planning Commission voted 0 – 5 nays. Mr. Rose does not feel this is something the residents want to see as they are first coming into the city. Mr. Lamb feels differently, he thinks if you look at the property and you look at other pieces of properties that are available where these kind of facilities can be built with the zoning change, it is extremely limited. When you look at the piece of property, and you look at the adjoining residential properties, it makes a lot of sense. There are commercial buildings on every entrance into the city. Mr. Simpson stated he is in support of this, he respects the Planning Commission's vote. He feels the 24 housing unit would have a bigger impact on the infrastructure. Mr. Mendel stated this zoning code change would basically be applied across the city. The roll was called and Ordinance/Resolution No. 132-17 failed by the nay votes of B. Hilberg, P. Rose and J. Coyne.

Ord. 133-17

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. 133-17, seconded by Mr. Simpson. Mr. Dirham stated these are amendments related to transfers for the Bicentennial. The roll was called and Ordinance/Resolution No. 133-17 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 134-17

An Ordinance authorizing the Finance Director to make certain fund Advances. Mr. Shields moved for the adoption of Ordinance/Resolution No. 134-17, seconded by Mr. Simpson. Mr. Shields motioned to amend the ordinance from a fund transfer to a fund advance, seconded by Mr. Simpson. Mr. Dirham stated for this ordinance and the next, they were going to be transfers, we are amending them to advances. The purpose is if there is money left over at the end they could be repaid, they are to fund the Bicentennial celebration. The roll was called on the amendment and passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, B. Lamb and P. Rose.

Medina City Council
Sept. 11th, 2017

The roll was called and Ordinance/Resolution No. 134-17 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and B. Lamb.

Ord. 135-17

An Ordinance authorizing the Finance Director to make certain fund Advances. Mr. Shields moved for the adoption of Ordinance/Resolution No. 135-17, seconded by Mr. Simpson. Mr. Shields motioned to amend the ordinance from a fund transfer to a fund advance, seconded by Mr. Simpson. The roll was called on the amendment and passed by the yea votes of J. Coyne, B. Hilberg, B. Lamb, P. Rose, J. Shields, and D. Simpson. The roll was called and Ordinance/Resolution No. 135-17 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, B. Lamb, P. Rose, and J. Shields.

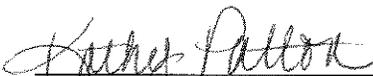
Council Comments:

Mr. Rose sends prayers and support to everyone that was in the path of the recent hurricanes and in commemoration of 911, may we never forget.

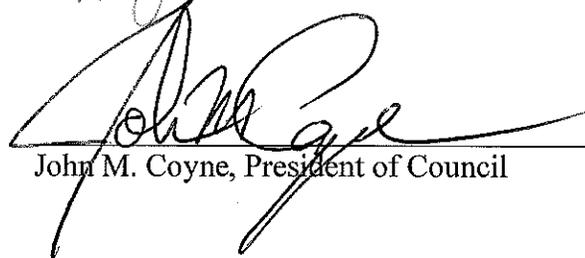
Mr. Lamb thanked Bob Hyde for the extraordinary and invaluable help and information he gathered for the house tours on South Court. He brought history alive.

Adjournment:

There being no further business before Council, the meeting adjourned at 8:26 p.m.



Kathy Patton, CMC - Clerk of Council



John M. Coyne, President of Council