

**CITY OF MEDINA
AGENDA FOR COUNCIL MEETING**

April 24, 2017
Medina City Hall
7:30 p.m.

Call to Order.

Roll Call.

Reading of minutes. (April 10, 2017)

Reports of standing committees.

Requests for council action.

Reports of municipal officers.

Notices, communications and petitions.

Unfinished business.

Introduction of visitors.
(speakers limited to 5 min.)

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 at 409 E. North Street, Medina as part of the PY16 CHIP Grant Program.
(emergency clause requested)

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.

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.
(emergency clause requested)

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.

(emergency clause requested)

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.

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.

Ord. 55-17

An Ordinance amending Ord. 127-15, passed October 26, 2015, relative to Membership Rates for the Medina Community Recreation Center.

Ord. 56-17

An Ordinance establishing Program Rates and Pool Rental Rates for the newly renovated Memorial Park Pool.

Ord. 57-17

An Ordinance amending the Aquatics Program Fees for the Medina Community Recreation Center and the Memorial Park Pool.

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.

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).

(emergency clause requested).

Council comments.

Adjournment.

Public Hearing (7:30 p.m.)

To consider the various text amendments to the following sections of the Planning and Zoning Code of the codified ordinances of the City of Medina, Ohio:

1105, 0129, 1105, 0163, 1113.05(k)(3), 1109.04(C)(10)D, 1123.02, 1123.03, 1123.04, 1123.05, 1125.02, 1125.03, 1125.04, 1125.05, 1131.05, 1137.10, 1141.04, 1147.12, and 1147.14(F).

For: Mr. Mendel stated these were brought before the Planning Commission at their February 9th meeting and they did recommend these and the Finance Committee reviewed them and forwarded them onto City Council to review and he asks for their approval. These are predominately clean up items.

Against: No one spoke against the amendments.

The Public Hearing was closed at 7:40 p.m.

Opening:

Medina City Council met in regular, open session on Monday, April 10th, 2017. The meeting was called to order at 7:41 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. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

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 March 27th, as prepared and submitted by the Clerk be approved. The roll was called and the minutes were approved by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated they met prior to the council meeting and will again meet in two weeks prior to the next council meeting.

Health, Safety & Sanitation Committee: Mr. Kolesar had nothing to report but a brief commendation for the Mayor and his pursuit in reference to the Birthing Center that they are planning on removing from Medina Hospital - his efforts in getting responses from some of the big decision makers. He thanked Mayor Hanwell for his work on this.

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb had no report. There is a meeting scheduled for 5:30 p.m. on April 19th to address some zoning issues.

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

- 17-054-4/10 – 538 W. Liberty – Common Pleas Court Proposal
- 17-055-4/10 – Hiring RITA for Income Tax Collection
- 17-056-4/10 – Decorative Street Lights – N. Court Corridor
- 17-057-4/10 – PY16 CHIP Grant Private Rehabilitation Project - 409 E. North St.
- 17-058-4/10 – Then & Now – Expenditure to Walter Haverfield
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- 17-060-4/10 – Lowe’s Charitable & Educational Foundation Grant Application
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- 17-063-4/10 – MCRC Monthly Payment Plan & Miscellaneous Fees
- 17-064-4/10 – MCRC Aquatics Area Only – Day Pass Fee
- 17-065-4/10 – Municipal Pool Rental & Program Rates
- 17-066-4/10 – Resolution Opposing Cleveland Clinic Closing of Birthing Unit

Public Properties

- 17-067-4/10 – Kiwanis Concession Stand Sponsorship (Discussion)

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported the following:

- 1) Mayor Hanwell stated he had a conference call with Dr. Steven Jones regarding the Birthing Center. Dr. Jones is the President of all the regional hospitals for the Cleveland Clinic. He understands the community and council’s concerns but pretty much said the decision has been made and there is no interest in having public meetings.
- 2) On March 28th the Mayor said he spoke with Dr. John Surso, who is the Medical Director for Summa Hospital at Lake Medina, regarding Summa’s possible interest in creating a birthing center for Medina county residents who are being abandoned by the Cleveland Clinic Enterprise. Dr. Surso said he hopes to put together a committee which he assured the Mayor can serve on, to have further discussions regarding Summa opening such a center. March 30th the Mayor sent a letter to the CEO of the Cleveland Clinic Dr. Toby Cosgrove laying out various concerns and asking for reconsideration to not close the birthing unit.

- 3) April 3rd Ohio Senate President Larry Obhoff, Representative Steve Hambley and the Mayor met again with Dr. Jones at the Clinic along with their government relations representatives and they discussed the concerns and our objections for nearly 90 minutes. It was clear the Clinic had no interest in hosting community meetings or any interest in reconsideration. Today, the Mayor stated he received a letter from Dr. Cosgrove of the Clinic indicating that he is personally monitoring the situation and he will attempt to achieve the best results for all.
- 4) The National Day of Prayer events are scheduled for Thursday, May 4th at 7 a.m. beginning with a breakfast at Williams On the Lake. Tickets are \$15 and are available at Medina Community Church or the Mayor's office. Speaker will be Rev. Arthur Ruffin from the Second Baptist Church who will have noon prayer service on the Square, or for a rain location, United Church of Christ Congregation. Then a 7 p.m. evening service at Heartland Community Church, 3400 Weymouth Rd.

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. Something Keith would like to address today is the State of Ohio runs a website called The Finder, where you can look up an address and supposedly it will tell you if that address is in the city or not. He is asking that you do not use that website as it is incorrect on a troubling frequent basis.

Greg Huber, Law Director, had no report.

Lt. Birckbichler, Acting Police chief, had no report.

Kimberly Marshall, Economic Development Director, reported the National Asphalt Pavement Association also known as NAPA announced that the Kokosing Materials Incorporated Medina Plant has earned the NAPA's Diamond Achievement commendation for excellence in asphalt plant and site operations. This is a nationally recognized and respected program that encourages and recognizes responsible asphalt operation practices and cultivates good community relations.

Jonathan Mendel, Planning Community Director, had no report.

Chief Painter, Fire Chief, had no report.

Mike Wright, Recreation Center Director, reported they now have a survey available on their website, or you can fill one out at the Rec. Center, for the new fitness addition. There are only seven questions and then a space for additional comments and suggestions. The survey also includes bullet points about how the addition is going to be funded and some other miscellaneous information. Please take the time to fill out the survey and give your feedback on a new addition and any additional equipment you would like to see at the Rec. Center. The new Spring/Summer brochure will be available on our website tomorrow afternoon, it will also be inserted in the Post

Medina City Council
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Newspaper this Saturday, April 15th, and copies will be available at the Recreation Center on Sunday, April 16th! The new outdoor Memorial Pool presale season passes will start being sold this Saturday, April 15th at the Recreation Center, with an opening date scheduled for Memorial Day weekend. Lastly, the next Rec Advisory Board meeting is Thursday, April 20th, at 7:30 a.m. at the Rec. Center.

Jansen Wehrley, Parks and Recreation Director, stated with the improved weather, the activities in the parks are picking up and the Medina Youth Baseball Association and Medina Soccer Association both began their seasons this week. The Medina Begataway Festival is April 22nd through the 23rd and will be held at various locations throughout the town. We are expecting thousands of attendees and approximately 120 teams from three different states. The Forestry Spring Tree Planting Project will begin next week planting trees at a variety of locations throughout town and most of these are for the Emerald Ash Bore tree replacements.

Dan Gladish, Building Official, stated he would like to give Council and the public a quick update on the Building Department's activities so far this year. We are off to a record setting year. For the first three months of this year the Building Department seen an increase of more than 50% in the number of permits issued as compared to the first three months for last year. This represents a continued investment and reinvested into the community both by the residents and the business community.

Patrick Patton, City Engineer, updated all on West Smith Rd. Starting tomorrow there will be a traffic pattern change. At the intersection of West Smith and State, traffic traveling south on State will no longer be able to make a left turn to go East onto Smith Rd. Court Street's change in traffic pattern has been delayed a couple of times, ODOT is telling us that will take effect on Monday April 17th limiting traveling to one lane in each direction with minimal left turning movements at intersections.

Nino Piccoli, Service Director, stated they are finalizing plans for a yard waste program. Information will be mailed out in the April water bills. The intent is to pick up leaves, twigs, branches, shrubbery and grass clippings. There will be details with respect to the days of pick up as well as the preparation for the same.

Confirmation of Council appointment

Income Tax Review Board -- Keith Hughes -- Expiring 12/31/19

Mr. Shields moved to confirm council's appointment, seconded by Mr. Simpson. The roll was called and the appointment was approved by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

Notices, Communications and Petitions:

Liquor Permit:

Mr. Shields moved not to object to the transfer of a D-1, D-2, D-3 and D-6 permit from Twiisted Restaurant Group LLC dba Twiisted Sushi Grill Bar & Sushi on the Roll, 985 Boardman Alley & Patio to Pappas Restaurant Group LLC, 985 Boardman Alley & Patio. Motion seconded by Mr. Simpson and approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Unfinished Business:

There was none.

Introduction of Visitors:

Charles Ramer 141 S. Prospect representing the Bankers Row Historic Neighborhood Association, broadly defined as West Liberty and West Washington down from the Square to State Road. Collectively, they would like to register their objection to Medina County Commissioners intended use of the former Medina Steak and Seafood Restaurant as an opioid addiction recovery facility. As an association, they greatly support addiction recovery programing, however, they believe this proposed location is wrong and believe there are better alternatives that exist and less expensive and far more appropriate.

Reason #1 - This is a historically significant building. As our councilmen, you have a responsibility to ensure that the value and integrity of our remaining historic structures are maintained. This building is the third oldest structure in Medina operating as a restaurant for over 160 years.

Reason #2 - Proposed location is in a family neighborhood. There have been major recent private investments made in the Spitzer House Bed and Breakfast, and the adjoining Carriage House in addition to converting three commercial buildings back to residential.

Reason #3 - This will have a major negative impact on the quality of life and the property values on the west end. An alcoholic treatment facility and a halfway house for criminals already exist on West Liberty and we are afraid this additional will further stigmatize the neighborhood.

Reason #4 - A negative impact on tourism and retail and will generate no sales tax, no property tax revenue for the city, and could potentially require additional police presence.

Reason #5 - There are far more appropriate buildings in areas of the city that exist in densely commercial areas.

Kevin Young from the City of Lakewood, Ohio 1598 Elber Avenue, stated he is happy the Mayor has gone through the steps necessary to rectify the situation and that he has approached Summa about bringing you a birthing center. He encourages you to stand behind the Mayor and other city officials as they go to work to solve this problem. This is a good time to put together a petition and get signatures. Now is not the time to relax. The Cleveland Clinic will do everything they can to even foil an attempt by a competitor to come in to a territory they consider their own.

Erica Graffain from the County Auditor's Office spoke of the Pet Adopt-A-Thon being the 20th annual and the location is at the Brunswick Recreation Center on the first Saturday in May the 6th from 10 a.m. to 2 p.m. Most organizations at this event will not let you leave with a pet, but you can start the adoption process that day.

Secondly, the residency issue people have with their income tax returns generates a lot of calls to us. We encourage them to call us and not use the website the State uses (The Finder) because like Keith stated, it is incorrect.

Delane Nagel, 504 West Liberty St. (Spitzer House Bed & Breakfast) agrees they are all in favor of the recovery center and it was very nice having Judge Collier at the Finance meeting, he was very good at changing the subject. The subject isn't whether our community promotes rehabilitation, the subject is do we know enough about this entering and are we comfortable putting it into a residential area. She feels the residents are getting contradicting information, and the city needs to get to the bottom of it and make sure they understand what is going on. Ms. Nagel submitted a list of questions that she gave to Clerk of Council Kathy Patton.

Jessica Hazeltine resides at 515 Blake Ave. stated they are not in disagreement that we do need a facility, just not in the spot they want to put it. She addressed concerns and opposition of the opiate recovery centers' proposed location. She respectfully asks that this City explore other locations.

Mary Sibley resides at 245 W. Washington St. and came to represent the views of the members of the Bankers Rows Historic Neighborhood Association.

Judy Gelleispe from 23003 Chandlers Lane, Olmsted Falls brought up the fact that the Clinic is not interested in supporting public meetings which is contradictory between monitoring the situation and then denying the public gathering. They are taking your voice away by not having public meetings, but you have something concrete when you have a petition.

Ron Ross, 1023 Ashwood Ln. thanked Dolly Yowler and her group and the Mayor of Medina for bringing a lot of attention to the Birthing Center issue. Ask yourself if taking away the birthing center takes away the greatness of our healthcare. We need to push back!

Fletcher Burch, 403 W. Washington St. moved here 12 years ago and it's been great. He feels crime will rise and when the crime rises, don't be surprised when us in our community start taking matters into our own hands.

Randy Schmidt resides at 360 Halifax Ln. has worked with criminal justice system in the state of California. Randy feels there has to be a better place to put the recovery facility.

Nancy Matty resides at 510 Wadsworth Rd. and feels there is a need for a recovery facility but not in the middle of a neighborhood where these families are living and growing. There are many empty buildings and this should be in a more commercial type area.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 044-17:

An Ordinance authorizing the Mayor to enter into a contract with Evans, Mechwart, Hambleton & Tilton, Inc. (EMH&T Engineers) for the Guilford Boulevard Bridge Replacement Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 044-17,

seconded by Mr. Simpson. Mr. Patton stated they were awarded funds from ODOT to replace the bridge. This company is the most qualified for this project and as such we are recommending to award them the project. The roll was called and Ordinance/Resolution No. 044-17 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Ord. 045-17:

An Ordinance authorizing the expenditure of \$8,500.00 to the Medina County Society for the prevention of Cruelty to Animals (SPCA) for animal related services for the year 2017.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 045-17, seconded by Mr. Simpson. Mr. Rose stated they have made a huge improvement in what was presented to them two years ago. Mayor Hanwell stated the city does not have an animal control officer so for this minimal donation we have a great collaborative relationship with the SPCA. The roll was called and Ordinance/Resolution No. 045-17 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose and J. Shields.

Ord. 046-17:

An Ordinance authorizing the Mayor to enter into a LPA Federal Local-Let Project Agreement with the Ohio Department of Transportation (ODOT) for the Medina Champion Creek Bicycle route project.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 046-17, seconded by Mr. Simpson. Mr. Patton stated the City was awarded a grant a couple years ago for the Champion Creek Bike Path Project and as part of that, the funds are being administered from NOACA through ODOT and we are asking ODOT to let us be the managers of those funds and to bid and award for the project and act as project administrator. The roll was called and Ordinance/Resolution No. 046-17 passed by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 047-17:

An Ordinance authorizing the expenditure not to exceed \$35,000 to Walter Haverfield, LLP for legal services during the year 2017, and certifying that when a municipal obligation was incurred, sums were lawfully appropriated in the funds to satisfy the obligation and sufficient sums currently exist to satisfy this obligation. Mr. Shields moved for the adoption of Ordinance/Resolution No. 047-17, seconded by Mr. Simpson. Mayor Hanwell stated Walter Haverfield have provided legal services to the city for litigation involving our Board of Zoning Appeals as well as a recently passed legislation by the State of Ohio taking away the home rule authority of the city to block cell tower locations within our right-of-way with no oversight of city at all. Emergency is needed because these services have already been provided and would like payment for the law firm. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 047-17, seconded by Mr. Simpson. 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, J. Coyne, and B. Hilberg. The roll was called and Ordinance/Resolution No. 047-17 passed by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Res. 048-17:

A Resolution strongly opposing the announcement by the Cleveland Clinic to close the

Family Birthing Center at Medina Hospital. I would like to give council and the public a quick update on the Building Departments activity. Mr. Shields moved for the adoption of Ordinance/Resolution No. 048-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 048-17, seconded by Mr. Simpson. Mr. Simpson will abstain from the voting due to being employed by the Cleveland Clinic. Mr. Kolesar stated they are passing a resolution showing unity against this decision to remove the Birthing Center at Medina Hospital. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb. The roll was called and Ordinance/Resolution No. 048-17 passed by the yea votes of B. Lamb, P. Rose, J. Shields, J. Coyne, B. Hilberg, and M. Kolesar.

Council Comments:

Mr. Rose took advantage of the parks system and thanked Jansen for a nice job, however, he would like to mention the inconsiderate dog owners need to have a conversation with the considerate dog owners. There will be a cleanup on April 22nd in the morning on Hillview Way. Patrick Evans is organizing a group of people to clean up all the litter there. Mr. Piccoli will be assisting in getting some supplies, and if anybody would like to join in, you are more than welcome to.

Mr. Rose stated he fully supports everything with the Birthing Center and would like to add, when it comes to emergencies and elective surgeries, you don't have to go to the Cleveland Clinic, some insurances require you to, but if you have a choice, then choose someplace else. Vote with your wallet and send a message that way. We can do everything we want to legislatively and pleadingly negotiating but the community can vote with their wallet.

Mr. Kolesar stated that on April 29th, he will hold an Earth Day/Arbor Day Cleanup at Roscoe Ewing Park from 9 a.m. - 12 p.m. The park can use your help.

Mr. Lamb stated they've worked with great cooperation from the city administration to do everything we can do to ensure that these neighborhoods are well maintained and friendly and welcoming. He has met with residents of Ward 1 on the issue of the recovery facility and its proposed location. If in fact the facility does go in, then he feels it's important to understand that we need to do everything we can do to ensure that the things that are not good about it that could happen, we want to work to make sure those things don't happen and work cooperatively to continue to improve the neighborhood.

Adjournment:

There being no further business before Council, the meeting adjourned at 8:40 p.m.

Kathy Patton, CMC - Clerk of Council

John M. Coyne, President of Council

Public Hearing (7:30 p.m.)

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Newspaper this Saturday, April 15th, and copies will be available at the Recreation Center on Sunday, April 16th! The new outdoor Memorial Pool presale season passes will start being sold this Saturday, April 15th at the Recreation Center, with an opening date scheduled for Memorial Day weekend. Lastly, the next Rec Advisory Board meeting is Thursday, April 20th, at 7:30 a.m. at the Rec. Center.

Jansen Wehrley, Parks and Recreation Director, stated with the improved weather, the activities in the parks are picking up and the Medina Youth Baseball Association and Medina Soccer Association both began their seasons this week. The Medina Begataway Festival is April 22nd through the 23rd and will be held at various locations throughout the town. We are expecting thousands of attendees and approximately 120 teams from three different states. The Forestry Spring Tree Planting Project will begin next week planting trees at a variety of locations throughout town and most of these are for the Emerald Ash Bore tree replacements.

Dan Gladish, Building Official, stated he would like to give Council and the public a quick update on the Building Department's activities so far this year. We are off to a record setting year. For the first three months of this year the Building Department seen an increase of more than 50% in the number of permits issued as compared to the first three months for last year. This represents a continued investment and reinvested into the community both by the residents and the business community.

Patrick Patton, City Engineer, updated all on West Smith Rd. Starting tomorrow there will be a traffic pattern change. At the intersection of West Smith and State, traffic traveling south on State will no longer be able to make a left turn to go East onto Smith Rd. Court Street's change in traffic pattern has been delayed a couple of times, ODOT is telling us that will take effect on Monday April 17th limiting traveling to one lane in each direction with minimal left turning movements at intersections.

Nino Piccoli, Service Director, stated they are finalizing plans for a yard waste program. Information will be mailed out in the April water bills. The intent is to pick up leaves, twigs, branches, shrubbery and grass clippings. There will be details with respect to the days of pick up as well as the preparation for the same.

Confirmation of Council appointment

Income Tax Review Board – Keith Hughes – Expiring 12/31/19

Mr. Shields moved to confirm council's appointment, seconded by Mr. Simpson. The roll was called and the appointment was approved by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

Notices, Communications and Petitions:

Liquor Permit:

Mr. Shields moved not to object to the transfer of a D-1, D-2, D-3 and D-6 permit from Twiisted Restaurant Group LLC dba Twiisted Sushi Grill Bar & Sushi on the Roll, 985 Boardman Alley & Patio to Pappas Restaurant Group LLC, 985 Boardman Alley & Patio. Motion seconded by Mr. Simpson and approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Unfinished Business:

There was none.

Introduction of Visitors:

Charles Ramer 141 S. Prospect representing the Bankers Row Historic Neighborhood Association, broadly defined as West Liberty and West Washington down from the Square to State Road. Collectively, they would like to register their objection to Medina County Commissioners intended use of the former Medina Steak and Seafood Restaurant as an opioid addiction recovery facility. As an association, they greatly support addiction recovery programing, however, they believe this proposed location is wrong and believe there are better alternatives that exist and less expensive and far more appropriate.

Reason #1 - This is a historically significant building. As our councilmen, you have a responsibility to ensure that the value and integrity of our remaining historic structures are maintained. This building is the third oldest structure in Medina operating as a restaurant for over 160 years.

Reason #2 - Proposed location is in a family neighborhood. There have been major recent private investments made in the Spitzer House Bed and Breakfast, and the adjoining Carriage House in addition to converting three commercial buildings back to residential.

Reason #3 - This will have a major negative impact on the quality of life and the property values on the west end. An alcoholic treatment facility and a halfway house for criminals already exist on West Liberty and we are afraid this additional will further stigmatize the neighborhood.

Reason #4 - A negative impact on tourism and retail and will generate no sales tax, no property tax revenue for the city, and could potentially require additional police presence.

Reason #5 - There are far more appropriate buildings in areas of the city that exist in densely commercial areas.

Kevin Young from the City of Lakewood, Ohio 1598 Elber Avenue, stated he is happy the Mayor has gone through the steps necessary to rectify the situation and that he has approached Summa about bringing you a birthing center. He encourages you to stand behind the Mayor and other city officials as they go to work to solve this problem. This is a good time to put together a petition and get signatures. Now is not the time to relax. The Cleveland Clinic will do everything they can to even foil an attempt by a competitor to come in to a territory they consider their own.

Erica Graffain from the County Auditor's Office spoke of the Pet Adopt-A-Thon being the 20th annual and the location is at the Brunswick Recreation Center on the first Saturday in May the 6th from 10 a.m. to 2 p.m. Most organizations at this event will not let you leave with a pet, but you can start the adoption process that day.

Medina City Council
April 10, 2017

Secondly, the residency issue people have with their income tax returns generates a lot of calls to us. We encourage them to call us and not use the website the State uses (The Finder) because like Keith stated, it is incorrect.

Delane Nagel, 504 West Liberty St. (Spitzer House Bed & Breakfast) agrees they are all in favor of the recovery center and it was very nice having Judge Collier at the Finance meeting, he was very good at changing the subject. The subject isn't whether our community promotes rehabilitation, the subject is do we know enough about this entering and are we comfortable putting it into a residential area. She feels the residents are getting contradicting information, and the city needs to get to the bottom of it and make sure they understand what is going on. Ms. Nagel submitted a list of questions that she gave to Clerk of Council Kathy Patton.

Jessica Hazeltine resides at 515 Blake Ave. stated they are not in disagreement that we do need a facility, just not in the spot they want to put it. She addressed concerns and opposition of the opiate recovery centers' proposed location. She respectfully asks that this City explore other locations.

Mary Sibley resides at 245 W. Washington St. and came to represent the views of the members of the Bankers Rows Historic Neighborhood Association.

Judy Gelleispe from 23003 Chandlers Lane, Olmsted Falls brought up the fact that the Clinic is not interested in supporting public meetings which is contradictory between monitoring the situation and then denying the public gathering. They are taking your voice away by not having public meetings, but you have something concrete when you have a petition.

Ron Ross, 1023 Ashwood Ln. thanked Dolly Yowler and her group and the Mayor of Medina for bringing a lot of attention to the Birthing Center issue. Ask yourself if taking away the birthing center takes away the greatness of our healthcare. We need to push back!

Fletcher Burch, 403 W. Washington St. moved here 12 years ago and it's been great. He feels crime will rise and when the crime rises, don't be surprised when us in our community start taking matters into our own hands.

Randy Schmidt resides at 360 Halifax Ln. has worked with criminal justice system in the state of California. Randy feels there has to be a better place to put the recovery facility.

Nancy Matty resides at 510 Wadsworth Rd. and feels there is a need for a recovery facility but not in the middle of a neighborhood where these families are living and growing. There are many empty buildings and this should be in a more commercial type area.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 044-17:

An Ordinance authorizing the Mayor to enter into a contract with Evans, Mechwart, Hambleton & Tilton, Inc. (EMH&T Engineers) for the Guilford Boulevard Bridge Replacement Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 044-17,

seconded by Mr. Simpson. Mr. Patton stated they were awarded funds from ODOT to replace the bridge. This company is the most qualified for this project and as such we are recommending to award them the project. The roll was called and Ordinance/Resolution No. 044-17 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Ord. 045-17:

An Ordinance authorizing the expenditure of \$8,500.00 to the Medina County Society for the prevention of Cruelty to Animals (SPCA) for animal related services for the year 2017.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 045-17, seconded by Mr. Simpson. Mr. Rose stated they have made a huge improvement in what was presented to them two years ago. Mayor Hanwell stated the city does not have an animal control officer so for this minimal donation we have a great collaborative relationship with the SPCA. The roll was called and Ordinance/Resolution No. 045-17 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose and J. Shields.

Ord. 046-17:

An Ordinance authorizing the Mayor to enter into a LPA Federal Local-Let Project Agreement with the Ohio Department of Transportation (ODOT) for the Medina Champion Creek Bicycle route project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 046-17, seconded by Mr. Simpson. Mr. Patton stated the City was awarded a grant a couple years ago for the Champion Creek Bike Path Project and as part of that, the funds are being administered from NOACA through ODOT and we are asking ODOT to let us be the managers of those funds and to bid and award for the project and act as project administrator. The roll was called and Ordinance/Resolution No. 046-17 passed by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 047-17:

An Ordinance authorizing the expenditure not to exceed \$35,000 to Walter Haverfield, LLP for legal services during the year 2017, and certifying that when a municipal obligation was incurred, sums were lawfully appropriated in the funds to satisfy the obligation and sufficient sums currently exist to satisfy this obligation. Mr. Shields moved for the adoption of Ordinance/Resolution No. 047-17, seconded by Mr. Simpson. Mayor Hanwell stated Walter Haverfield have provided legal services to the city for litigation involving our Board of Zoning Appeals as well as a recently passed legislation by the State of Ohio taking away the home rule authority of the city to block cell tower locations within our right-of-way with no oversight of city at all. Emergency is needed because these services have already been provided and would like payment for the law firm. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 047-17, seconded by Mr. Simpson. 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, J. Coyne, and B. Hilberg. The roll was called and Ordinance/Resolution No. 047-17 passed by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Res. 048-17:

A Resolution strongly opposing the announcement by the Cleveland Clinic to close the

Family Birthing Center at Medina Hospital. I would like to give council and the public a quick update on the Building Departments activity. Mr. Shields moved for the adoption of Ordinance/Resolution No. 048-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 048-17, seconded by Mr. Simpson. Mr. Simpson will abstain from the voting due to being employed by the Cleveland Clinic. Mr. Kolesar stated they are passing a resolution showing unity against this decision to remove the Birthing Center at Medina Hospital. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb. The roll was called and Ordinance/Resolution No. 048-17 passed by the yea votes of B. Lamb, P. Rose, J. Shields, J. Coyne, B. Hilberg, and M. Kolesar.

Council Comments:

Mr. Rose took advantage of the parks system and thanked Jansen for a nice job, however, he would like to mention the inconsiderate dog owners need to have a conversation with the considerate dog owners. There will be a cleanup on April 22nd in the morning on Hillview Way. Patrick Evans is organizing a group of people to clean up all the litter there. Mr. Piccoli will be assisting in getting some supplies, and if anybody would like to join in, you are more than welcome to.

Mr. Rose stated he fully supports everything with the Birthing Center and would like to add, when it comes to emergencies and elective surgeries, you don't have to go to the Cleveland Clinic, some insurances require you to, but if you have a choice, then choose someplace else. Vote with your wallet and send a message that way. We can do everything we want to legislatively and pleadingly negotiating but the community can vote with their wallet.

Mr. Kolesar stated that on April 29th, he will hold an Earth Day/Arbor Day Cleanup at Roscoe Ewing Park from 9 a.m. - 12 p.m. The park can use your help.

Mr. Lamb stated they've worked with great cooperation from the city administration to do everything we can do to ensure that these neighborhoods are well maintained and friendly and welcoming. He has met with residents of Ward 1 on the issue of the recovery facility and its proposed location. If in fact the facility does go in, then he feels it's important to understand that we need to do everything we can do to ensure that the things that are not good about it that could happen, we want to work to make sure those things don't happen and work cooperatively to continue to improve the neighborhood.

Adjournment:

There being no further business before Council, the meeting adjourned at 8:40 p.m.

Kathy Patton, CMC - Clerk of Council

John M. Coyne, President of Council

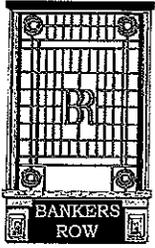
4/10/17

I am Mary Sibley of 245 West Washington Street, Medina. I am here to represent the views of the members of the Bankers Row Historic Neighborhood Association. My husband and I have lived in Medina since December, 2012. We moved here as retirees to be close to our family. Features attracting us to Medina include the square and the existence of several old residential neighborhoods.

The site of the proposed facility for addiction support, the steakhouse on West Liberty Street, is in close proximity to our neighborhood association, an association just recently formed. There is opposition among members of the association to the location of the proposed new facility, not for reason that the goals of the facility are not shared by our association members, but because a more suitable location in one of the commercial areas of the city, at one of the many empty storefronts and offices, is doubtlessly available. Association members are concerned that the proposed addiction support facility location at the steakhouse would be disruptive to this a mixed-use, but primarily residential historic neighborhood on the west side of our city. It is my understanding that city planners consider West Liberty Street to be one of the gateways to the city, and thus an area of substantial significance.

Thank you for permitting us to speak.

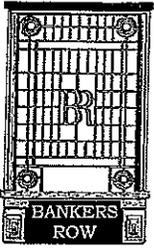
4/10/17
cc: Mayor



HISTORIC NEIGHBORHOOD ASSOCIATION

**Concerns Pertaining to the Re-Use of the Medina Steak and Seaford Restaurant
as a Proposed Opioid Recovery Center**

1. Who will be managing and overseeing this grant and project – County Commissioners, Judge Collier, someone else? Initially and long term?
2. How is this program different than the center previously proposed for the County Professional building in Medina?
3. Do zoning regulations have any discretionary ability to restrict the number of similar businesses in a small area? Such as limiting the concentration of bars in a block, or car lots in a row, etc., to minimize specialized "strips" in town with duplicative services? Would this apply to rehabilitation centers?
4. West Liberty Street is contained within one of the "Transition Corridor Overlay Districts" in the city of Medina. According to the statute, "It is important that the visual appearance and composition of these areas be maintained in order to put forth a positive image of Medina at these important "gateways" into the City." Is there a conflict with these stated goals and the proposed location of the project?
5. Could the city pass code to allow greater control of projects or tighter zoning in the sensitive gateway areas?
6. From an economic standpoint, would the city of Medina have a preference for a restaurant in the proposed location or a non-profit in that location?
7. Has the city reached out to the restaurateur, Scott Ita, of Lakewood to validate interest and offer economic development assistance for his project? Can the City or County offer any assistance to that project?
8. Will the historic bar in the facility be removed as this is to be a sober living environment? Will this architectural piece be salvaged?
9. Is the purpose of the vocational training to provide employment opportunities for the addicts in restaurants and bars? Does this conflict with sober living?
10. Will there be significant changes to the inside of the historic building?
11. Will there be significant changes to the outside of the building?
12. Why are the vocational services as outlined not duplicative of existing adult educational facilities in the county and surrounding area?
13. The attached list of concerns by the down town merchant's and Main Street Medina were successful in diverting a similar project from the county owned Administration Building, which is extremely close to this site. What are the

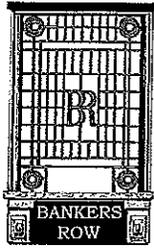


HISTORIC NEIGHBORHOOD ASSOCIATION

**Concerns Pertaining to the Re-Use of the Medina Steak and Seaford Restaurant
as a Proposed Opioid Recovery Center**

steps taken in this new proposal that mitigate the concerns found persuasive in the case of the County Administration Center?

14. Are there other centers offering these same services for recovered opiate addicts elsewhere in the state we can learn from? How long have they been in operation? How successful is their program? Were there any negative impacts on the surrounding neighborhood?
15. How many people are expected to frequent this center daily?
16. Will this be a neighborhood facility? A City-wide Facility? A county-wide facility? Or a regional facility?
17. What will be the ratio between local participants and participants from outside of Medina City?
18. Will all of the attendees be there of their own choice? Or by court order?
19. What percentage will be attending under court order?
20. Is this center related to court order probation? How?
21. If this project is administered by the probation office, does that make this a correctional program? A correctional facility?
22. Will any of these attendees be under "house arrest" and be under electronic monitoring?
23. What will the days and hours the facility will be operating?
24. Will a probation officer or an employee of the probation office manage the facility?
25. How many people will be on staff to operate the facility?
26. Will any staff be armed? Will all staff be armed? Will they be armed at all times?
27. We understand that the center is envisioned as "a safe place for those who have completed their addiction recovery", What is the definition of "completed their addiction recovery"? For how long will they have to have been sober to have completed their programs prior to utilizing the center?
28. Will people still abusing opiates be targeted for services at the facility?
29. Will this center distribute methadone, or other substitute drugs for opiates?



HISTORIC NEIGHBORHOOD ASSOCIATION

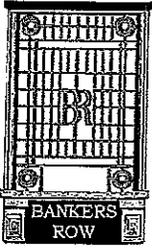
**Concerns Pertaining to the Re-Use of the Medina Steak and Seaford Restaurant
as a Proposed Opioid Recovery Center**

30. Will there be medical staff on site? If so, full time or part time?
31. Will Narcon or other drugs designed to treat overdose be on site?
32. Would some people call this a methadone center?
33. How many attendees are projected to drive rather than walk through the neighborhood to reach the center?
34. Will participants be required to attend daily? On weekends?
35. Where are the other drug and alcohol rehabilitation/ half way houses, or other rehabilitation type centers, located in the city and the county?
36. What have been their experiences with property value and crime statistics compared to the rest of the city/community in which they are located?
37. Is there a "tipping point" in geographic concentration of social rehabilitation centers, beyond which neighborhoods experience stigmatism and neighborhood revitalization projects, such as those underway to create Historic Neighborhood Associations, are no longer impactful? At what point do home prices never recover?
38. May we request the county auditor do a study on actual sales price, time on market, as well as appraised value on the West Liberty Street neighborhood vs other medina neighborhoods, to determine the impact of concentrating the existing 3 rehabilitation centers, and predict the result of adding a 4th rehabilitation within a concentrated area of West Liberty St. The time frame for comparison should cover the institution of the four centers below.

 Freese House 1 – 682 West Liberty St.- Halfway house for Registered Sex Offenders
 Cathy's House – 515 West Liberty St. - Resident Home for alcoholics

 Freese House 2 - 545 W. Friendship - second Halfway house for Registered Sex Offenders (3 blocks north of proposed site)

 Proposed Opiate Recovery Center - Proposed for 538 West Liberty St. Old Medina Steak House
39. Is there a reason West Liberty Street and the immediate neighborhood has such a concentration of centers?
40. Are there rules impacting where rehabilitation, or correctional centers, may be located, such as restrictions from locating near schools, day cares centers etc.? Who's responsibility is it to ascertain these rules are upheld?



HISTORIC NEIGHBORHOOD ASSOCIATION

**Concerns Pertaining to the Re-Use of the Medina Steak and Seaford Restaurant
as a Proposed Opioid Recovery Center**

41. Were the resident children immediately adjacent and neighboring the center a factor in the decision making process?
42. Do you know how many children's homes adjoin the property?
43. Statistically, are children safer at school? Or at home?
44. Does the presence of the after school child care and summer child care programs at the Salvation Army, also in the 500 block of West Liberty, impact the decision?
45. Whose decision is the location of the center?
46. Do you anticipate the center will require extra police involvement?
47. Is video surveillance or extra "policing" anticipated as a result of the center? If so, how will the extra surveillance or policing be funded?
48. Will mitigating steps be taken to isolate the center from the residential neighborhood such as walls or fences?
49. Will smoking be allowed outside of the building and in the parking lots adjoining our homes?
50. Will consumption of alcohol be allowed?
51. Do you anticipate outside social activities? Between the other rehabilitation facilities in the neighborhood previously mentioned? Involving the public?
52. What other properties in the city of Medina were investigated?
53. What other properties in the county of Medina were investigated?
54. Was cooperation with one of the existing adult education facilities in the city / county explored? What was the outcome of these talks?
55. Was a study done on the impact on the total life of the grant were there to be no rent by utilizing an existing county owned facility?
56. Were any of the facilities in commercial areas that are not conducive to foot traffic evaluated?
57. Studies indicate corner stores or convenience stores that draw foot traffic to an area also increase crime in the immediate neighborhood. Do you anticipate this will be exasperated or the types of crime impacted if the new foot traffic will be court mandated opiate addicts?

ORDINANCE NO. 49-17

AN ORDINANCE AUTHORIZING THE PAYMENT OF \$28,000.00 TO GB HAWK CONSTRUCTION CO. FOR THE PRIVATE HOME REHABILITATION AT 409 E. NORTH STREET, MEDINA AS PART OF THE PY16 CHIP GRANT PROGRAM, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That the payment of \$28,000.00 is hereby authorized to GB Hawk Construction Co. for the private home rehabilitation at 409 E. North St., Medina as part of the PY16 CHIP Grant Program, Activity #AC-16-06.

SEC. 2: That the funds to cover this payment in the amount of \$28,000.00 are available in Account No. 139-0456-52215.

SEC. 3: That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director's certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.

SEC. 4: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 5: That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to not delay payment to the contractor; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 50-17

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF \$64,000.08 TO EMERGITECH, INC. FOR THE ANNUAL SUSBSRIPTION FEES AND RELATED EXPENSES FOR THE COMPUTER AIDED DISPATCH AND RECORDS MANAGEMENT SYSTEM FOR THE POLICE DEPARTMENT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That the expenditure of \$64,000.08 to Emergitech, Inc. for the annual contractual services for CAD, RMS, Fire and LST modules and software including related subscriptions and support for the period January 1, 2017 through December 31, 2017 for the Police Department is hereby authorized.

SEC. 2: That the funds to cover this expenditure are available in Account No. 106-0102-52215.

SEC. 3: That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director's certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.

SEC. 4: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 5: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor



Public Safety Software

EmergiTech, LLC, a Zuercher Technologies Company

Invoice	CA0000000102
Date	1/16/2017
Page	1

Remit to:
 EmergiTech, LLC
 4509 West 58th Street
 Sioux Falls, SD 57108

ORD. 50-17

Bill To:

Medina City PD (OH)
 150 W. Friendship Street
 Medina OH 44256

Ship To:

Medina City PD (OH)
 Chief Patrick Berarducci
 150 W. Friendship Street
 Medina OH 44256

Purchase Order No.	Customer ID	Salesperson ID	Shipping Method	Payment Terms	Req Ship Date	Master No.
	OHMED			Net 30	1/13/2017	325

Quantity	Contract Num	Item Number	Term	Unit Price	Ext. Price
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1.00	0000000431	MAINTENANCE	Period: 1/1/2017 - 12/31/2017	\$64,000.08	\$64,000.08
		ETI Hosting			
		MAINTENANCE			

- EmergiTech Hosting
- Hosted Bair Analytics RAIDS/ATACRAIDS Interface Subscription
- Hosted Crystal Reports Concurrent Connection
- Hosted EmergiTech AVL Concurrent Connections
- Hosted Firehouse Integration
- Hosted INTERBADge or INTERBADGE-M Police Records Concurrent Connections
- Hosted INTERCad Concurrent Connections
- Hosted INTERMAP Tactical Map Display Concurrent Connections
- Hosted INTERMOBILE Fire/EMS w/Map Concurrent Connections
- Hosted INTERMOBILE LE with Mobile Mapping & NCIC Concurrent Connections
- Hosted INTERMug Photo Imaging Concurrent Connections
- Hosted INTERSHAre Media Concurrent Connections
- Hosted OLLEISN Concurrent Connection
- Hosted ProQA Interface License
- Infrastructure as a Service (IaaS) Subscription for Virtual Server Hosting for ProQA Paramount
- Hosted INTERStat CAD Monitoring Service

[Handwritten Signature]
 3-27-17

Subtotal	\$64,000.08
Misc	\$0.00
Tax	\$0.00
Freight	\$0.00
Trade Discount	\$0.00
Total	\$64,000.08

OK
[Handwritten Signature]



EmergiTech™

Public Safety Software

EmergiTech, LLC, a Zuercher Technologies Company

Invoice	CA0000000102
Date	1/16/2017
Page	1

Remit to:
 EmergiTech, LLC
 4509 West 58th Street
 Sioux Falls, SD 57108

Bill To:

Medina City PD (OH)
 150 W. Friendship Street
 Medina OH 44256

Ship To:

Medina City PD (OH)
 Chief Patrick Berarducci
 150 W. Friendship Street
 Medina OH 44256

Purchase Order No.	Customer ID	Salesperson ID	Shipping Method	Payment Terms	Req Ship Date	Master No.
	OHMED			Net 30	1/13/2017	325

Quantity	Contract Num	Item Number	Term	Unit Price	Ext. Price
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1.00 0000000431 MAINTENANCE
 ETI Hosting
 MAINTENANCE

Period: 1/1/2017 - 12/31/2017 \$64,000.08 \$64,000.08

- EmergiTech Hosting
- Hosted Bair Analytics RAIDS/ATACRAIDS Interface Subscription
- Hosted Crystal Reports Concurrent Connection
- Hosted EmergiTech AVL Concurrent Connections
- Hosted Firehouse Integration
- Hosted INTERBADge or INTERBADGE-M Police Records Concurrent Connections
- Hosted INTERCad Concurrent Connections
- Hosted INTERMAP Tactical Map Display Concurrent Connections
- Hosted INTERMOBILE Fire/EMS w/Map Concurrent Connections
- Hosted INTERMOBILE LB with Mobile Mapping & NCIC Concurrent Connections
- Hosted INTERMug Photo Imaging Concurrent Connections
- Hosted INTERSHAre Media Concurrent Connections
- Hosted OLLEISN Concurrent Connection
- Hosted ProQA Interface License
- Infrastructure as a Service (IaaS) Subscription for Virtual Server Hosting for ProQA Paramount
- Hosted INTERStat CAD Monitoring Service

COPY

Subtotal	\$64,000.08
Misc	\$0.00
Tax	\$0.00
Freight	\$0.00
Trade Discount	\$0.00
Total	\$64,000.08

Request for Taxpayer Identification Number and Certification

**Give Form to the
 requester. Do not
 send to the IRS.**

Print or type.
See Specific Instructions on page 2.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. EmergiTech, LLC	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ <u>C</u> <small>Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.</small> <input type="checkbox"/> Other (see instructions) ▶	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) 4509 W. 58th Street	Requester's name and address (optional)
6 City, state, and ZIP code Sioux Falls, SD 57108	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number									
or									
Employer identification number									
8	1	-	2	5	2	7	5	0	2

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here

Signature of U.S. person ▶

Jessica J. Allen

Date ▶

2-7-2017

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

RESOLUTION NO. 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, AND DECLARING AN EMERGENCY.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

- SEC. 1:** That the Mayor is hereby authorized and directed 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 renovation of the upstairs room of the Engine House on Public Square to become a Community Room.
- SEC. 2:** That if the Grant is awarded to the City, the Mayor is authorized to accept the grant and complete all documentation necessary for the implementation and administration of the grant.
- SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 4:** That this Resolution shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason the application deadline is May 12, 2017; wherefore, this Resolution shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

Actual Funds:	Unspecified
Award Range:	\$2,001 (Min) / \$100,000 (Max)
Annual Giving:	\$6,059,081
Total Assets:	\$1,012,450
Last Tax Filing:	01/31/2015

Watch Notes:

There are no stated matching requirements for this program.

Funding Notes:

An unspecified amount of funding is available to support awards ranging from \$2,001 to \$100,000 through this program.

Award notifications will be made within 90 days of the relevant application deadline.

Multiyear funding requests will not be considered.

Funding will not support:

- Families or memorial campaigns
- Third-party giving
- Church programs or events
- Capital campaigns, endowments, or endowed chairs
- Special events, such as conferences, dinners, sport or educational competitions, festivals, or art exhibits
- Sponsorship/fundraising events of any kind, such as auctions, golf tournaments, or athletic events
- Tickets to events
- Product donations
- Goodwill advertising or marketing
- Arts-based programs
- Travel-related events, including trips, tours, stipends, or registration fees for students or staff
- Development or production of books, films, videos, or television programs
- Developing curriculum
- Activities of organizations serving primarily their own membership
- Continuing education for teachers and staff
- Institutional overhead or indirect costs, such as salaries, stipends, benefits, and most project labor costs

Updates

March 21, 2017: Information regarding the link for the online application has been released and attached as the Update file. The Application and Contact sections have been updated accordingly.

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FD0436 Lowe's Charitable and Educational Foundation (LCEF): Lowe's Community Partners Grants (Select Areas) - FY 2017

eCivis Grant Detail

Grant: FD0436 Lowe's Charitable and Educational Foundation (LCEF): Lowe's Community Partners Grants (Select Areas) - FY 2017

Provided for: Sandy Davis of Medina

On Wednesday, March 22, 2017 1:10:28 PM PDT

Eligibility/Application

Eligibility Notes:

Eligible applicants are:

Entities established as 501(c)(3) nonprofit organizations for at least two years

Public agencies, including municipalities

Eligibility is limited to organizations in communities where Lowe's operates its stores and distribution centers; however, there is no specific distance requirement for organizations and their proximity to the community Lowe's store. A database of Lowe's locations can be found online at www.lowes.com/store.

Applicants may submit only one application for this program per 12-month period.

Applicants may apply for only one of the funding agency's programs within a 12-month period. Applicants of this program may not apply for the funding agency's Toolbox for Education or Small Grants programs, known in *eCivis Grants Network* as FD0715 and FD5909, respectively, in the same 12-month period.

Ineligible entities include:

Health/national-based organizations

Religious organizations

Private schools

Sports teams

Political, labor, or fraternal organizations

Civic clubs or candidates

Animal rescue/shelters or support groups

Eligible Applicants:

Local Government

Non Profits

Application Notes:

Applications must be received during one of the following cycles:

Spring cycle: March 20, 2017, through **May 12, 2017**

Fall cycle: July 3, 2017, through **August 25, 2017**

Applicants interested in the Lowe's Heroes employee volunteer program to help supplement the labor of their projects are encouraged to speak to their local Lowe's store manager.

Applicants are required to complete an eligibility quiz online at www.cybergrants.com prior to submitting an application. Eligible applicants will be directed to the online application.

The contents of the application will become available upon initiation of the online application process.

Refer to the NOFA and Update files for additional application information.

Financial

Match Required:

No

ORDINANCE NO. 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, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That the Mayor is hereby authorized and directed sign the Letter of Arrangement with the Auditor of the State of Ohio Dave Yost for the preparation of the annual audit for the City of Medina for the fiscal period ending December 31, 2016.

SEC. 2: That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director's certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.

SEC. 3: That the funds to cover this service shall not exceed \$40,000.00 and are available in Account No. 001-0707-52221.

SEC. 4: That a copy of the Modification/Extension Agreement is marked Exhibit A, attached hereto, and incorporated herein.

SEC. 5: That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason work on the audit has commenced; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor



ORD. 52-17

Dave Yost • Auditor of State

April 3, 2017

Dennis Hanwell, Mayor
City of Medina
Medina County
132 North Elmwood Street
Medina, Ohio 44256

This letter of arrangement between the City of Medina, Medina County, Ohio (the City) and the Auditor of State describes the objective and scope of the services we will provide, the City's required involvement and assistance in support of our services, the related fee arrangements, and other terms and conditions designed to ensure that our professional services satisfy the City's audit requirements.

Summary of Services

We will audit the City's basic financial statements as of and for the year ended December 31, 2016. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. The objective of an audit is to express our opinion concerning whether the basic financial statements present fairly, in all material respects, the City's financial position, changes in financial position, required budgetary comparisons, and cash flows (where applicable), in conformity with U.S. generally accepted accounting principles.

We expect to deliver our report on or about June 30, 2017

We will audit to form an opinion on the basic financial statements. We will also opine on whether supplementary information is fairly presented, in all material respects, in relation to the basic financial statements taken as a whole.

We will apply certain limited procedures to required supplementary information. However, we will not opine or provide any assurance on this information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any other assurance.

We also will read the other information included in the introductory and statistical sections of the Comprehensive Annual Financial Report (CAFR) and consider whether this information, including the manner of its presentation, is materially consistent with information appearing in the financial section. However, we will not express an opinion or any other assurance on the introductory or statistical sections of the CAFR.

Engagement Team

The engagement will be led by:

- * Dan Stuetzer, Chief Auditor, who will be responsible for assuring the overall quality, value, and timeliness of our services to you;
- * Lindsey Young, Senior Audit Manager, who will be responsible for managing the delivery of our services to you; and

Lausche Building, 615 Superior Ave., NW, Twelfth Floor, Cleveland, Ohio 44113-1801
Phone: 216-787-3665 or 800-626-2297 Fax: 216-787-3361

www.ohioauditor.gov

- * Josh Ziegler, Audit Manager, who will be responsible for on-site administration of our services to you.

The Auditing Process

Our Responsibilities:

The *Summary of Services* above describes our responsibilities for the City's basic statements and other financial information.

We will conduct our audit in accordance with U.S. generally accepted auditing standards (GAAS) and the Comptroller General of the United States' standards for financial audits included in *Government Auditing Standards*, the Single Audit Act Amendments of 1996, and *Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)*. Those standards require that we plan and perform the audit to reasonably assure that the financial statements are free of material misstatement.

Because of inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatement may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS.

We may limit certain procedures to selective testing of data. Therefore we might not detect material error and fraud if it exists. It is not cost-efficient to design procedures to detect immaterial error or immaterial fraud. Also, because of the characteristics of fraud, including attempts at concealment through collusion and forgery, a properly designed and executed audit may not detect a material fraud.

We will communicate all instances where we believe fraud *may* exist to you. These would include instances where we:

- Have persuasive evidence that fraud occurred.
- Determined fraud risks exist and were unable to obtain convincing evidence to determine that fraud was unlikely.

Similarly, noncompliance may have occurred. However, our audit provides no assurance that noncompliance generally will be detected and only reasonable assurance that we will detect noncompliance directly and materially affecting the determination of financial statement amounts. We will inform you regarding material error or noncompliance that come to our attention.

If we find indications of abuse, we will expand our tests to determine its financial statement effect. *Government Auditing Standards* defines *abuse* as behavior which while not necessarily a legal violation, is behavior a prudent person would deem improper or deficient. Because this determination is subjective, *Government Auditing Standards* does not expect auditors to provide reasonable assurance of detecting abuse.

If for any reason we are unable to complete the audit or are unable to form an opinion, we may disclaim an opinion on your financial statements. In this unlikely event, we will communicate the reason for disclaiming an opinion to you, and to those charged with governance, in writing.

Your Responsibilities and Identification of the Applicable Reporting Framework:

We will audit assuming that management and those charged with governance acknowledge and understand they are responsible for:

1. Preparing the financial statements and other financial information, including related disclosures and selecting and applying accounting principles in accordance with accounting principles generally accepted in the United States of America.

2. Providing us with:
 - a. Access to all information of which management is aware that is relevant to preparing and fairly presenting the financial statements such as records, documentation, and other matters;
 - b. Additional information that we may request from management for the audit; and
 - c. Unrestricted access to persons within the City from whom we determine it necessary to obtain audit evidence.
3. Inform us of events occurring or facts discovered subsequent to the date of the financial statements, of which management may become aware, that may affect the financial statements.
4. Preparing supplementary information (including the Schedule of Expenditures of Federal Awards) in accordance with the applicable criteria.
 - a. Include our report on the supplementary information in any document that includes the supplementary information and that indicates that the auditor has reported on this supplementary information.
 - b. Present the supplementary information with the audited financial statements or, if the supplementary information will not be presented with the audited financial statements, to make the audited financial statements readily available to the intended users of the supplementary information no later than the date of issuance by the City of the supplementary information and the auditor's report thereon.
5. Reporting fraud and noncompliance of which you are aware to us.
6. Making available to the auditor draft financial statements and any accompanying other information in time to allow the auditor to complete the audit in accordance with the proposed timeline.
7. Reviewing drafts of the audited financial statements, footnotes, any supplemental information, auditor's reports and any findings; and informing us of any edits you believe may be necessary.
8. Designing and implementing programs and controls to prevent and detect fraud.

You should not rely on our audit as your primary means of detecting fraud.

Compliance with Laws and Regulations

Our Responsibilities

As part of reasonably assuring whether the financial statements are free of material misstatement, we will test the City's compliance with certain provisions of laws, regulations, contracts, and grants if noncompliance might reasonably directly and materially affect the financial statements. However, except for major federal financial assistance programs, our objective is not to opine on overall compliance with these provisions.

Your Responsibilities:

Management and those charged with governance are responsible for:

1. Being knowledgeable of, and complying with, laws, regulations, contracts, and grants applicable to the City.
2. Identifying for us other financial audits, attestation engagements, performance audits, internal audits, reports from regulators or other studies related to the Organization (if any), and the corrective actions taken to address these audits' significant findings and recommendations.
3. Tracking the status of prior audit findings.
4. Taking timely and appropriate steps to remedy fraud, noncompliance, violations of provisions of laws, regulations, contracts or grant agreements, or abuse we may report.
5. Providing your views and planned corrective action on audit findings we may report.

Internal Control

Our Responsibilities:

As a part of our audit, we will obtain an understanding of your City and its environment, including its internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses.

In assessing risk, we consider internal control relevant to the City's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances but not for the purpose of opining on the effectiveness of the City's internal control. However, we will communicate to you in writing any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.

Your Responsibilities:

Design, implement and maintain internal control relevant to compliance and the preparing and fairly presenting financial statements that are free from material misstatement, whether due to fraud or error. Appropriate supervisory reviews are necessary to reasonably assure that adopted policies and prescribed procedures are followed.

Your Responsibility for Service Organizations:

Service organizations are entities to which you have outsourced accounting functions. Service organizations process transactions reflected in your City's financial statements, and therefore fall within the scope of our audit. While service organizations are responsible for establishing and maintaining their internal control, you are responsible for being aware of the service organizations your City uses, and for establishing controls to monitor the service organization's performance. Because the complexity of service organization transaction processing can vary considerably, your monitoring activities can vary accordingly.

When transaction processing is complex and the volume of transactions is relatively high, obtaining and reviewing a service organization auditor's *Independent Service Auditor's Report on Management's Description of a Service Organization's System and the Suitability of the Design and Operating Effectiveness of Controls* Report (Type 2 Service Organization Control Report (SOC 1)) may be the most effective method of meeting your responsibility to monitor a service organization, and may also be the only efficient means by which we can obtain sufficient evidence regarding their internal controls. AT

Section 801, *Reporting on Controls at a Service Organization* (SSAE No. 16) discusses the aforementioned report. (In some circumstances, we can accept a suitably-designed agreed-upon procedures report (AUP) in lieu of a SSAE No. 16 report.) Our staff can discuss SSAE No. 16 and possible monitoring controls you might use with you.

You are responsible for informing our staff of the service organizations your government uses, and for monitoring these service organizations' performance.

Service organizations of which we are aware are:

- Medina County, which bills and collects your property taxes.
- Central Collection Agency, with collects your income taxes.

Please confirm to us that, to the best of your knowledge, the above listing is complete. Of the service organizations above, those for which we believe the complexity of processing and volume of transactions warrant a SSAE No. 16 (or AUP) report are:

- Central Collection Agency, with collects your income taxes.

Without an acceptable SSAE No. 16 or AUP report for the above-listed organizations, generally accepted auditing standards may require us to qualify our opinion on your City's financial statements due to an insufficiency of audit evidence regarding service organization transactions included in your City's financial statements. You are responsible for communicating the need for a SSAE No. 16 or AUP report to these service organizations

Additional Responsibilities and Reporting Under the Uniform Guidance

Our Responsibilities:

For grant funding subject to the Uniform Guidance, as the Guidance requires, we will test controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to opine on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance

Additionally, the Uniform Guidance requires that we also plan and perform the audit to reasonably assure whether the auditee has complied with applicable federal statutes, regulations, and terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the OMB *Compliance Supplement* for the types of compliance requirements that could directly and materially affect each of your major programs.

In accordance with the Uniform Guidance, we will prepare the following report:

Independent Auditor's Report on Compliance for Each Major Federal Program and on Internal Control Over Compliance Required by the Uniform Guidance

Our report on compliance will include our opinion on compliance with major federal financial assistance programs and also describe instances of noncompliance with Federal requirements we detect that require reporting per the Uniform Guidance . This report will also describe any significant deficiencies and/or material weaknesses we identify relating to controls used to administer Federal award programs. However, this report will not opine on internal control used to administer Federal award programs.

We are also responsible for completing certain parts of OMB Form SF-SAC (the Data Collection Form).

Your Responsibilities:

You are responsible for identifying federal statutes, regulations and the terms and conditions relating to Federal award programs, and for complying with them. You are responsible for compiling the Schedule of Expenditures of Federal Awards and accompanying notes.

For grant funding subject to the Uniform Guidance, you are required to establish and maintain effective internal controls to reasonably assure compliance with federal statutes, regulations and terms and conditions of federal awards and controls relating to preparing the Schedule of Expenditures of Federal Awards. Additionally, you are responsible for evaluating and monitoring noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; taking prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly following up and taking corrective action on reported audit findings; and for preparing a summary of schedule of prior audit findings and a separate corrective action plan.

You are responsible for informing us of significant subrecipient relationships and contractor relationships (previously known as vendor relationships), when the contractor has responsibility for program compliance and for the accuracy and completeness of that information

You are responsible for completing your City's Data Collection Form and assuring the reporting package (including the Data Collection Form) is filed in accordance with the electronic submission requirements.

You are responsible for providing electronic files that are unlocked, unencrypted and in an 85% text searchable PDF format for your City's single audit submission of the reporting package to the Federal Audit Clearinghouse.

Representations from Management

Your Responsibilities

Upon concluding our engagement, management and, when appropriate, those charged with governance will provide to us written representations about the audit that, among other things, will confirm, to the best of their knowledge and belief:

- Management's responsibility for preparing the financial statements in conformity with generally accepted accounting principles, and the Schedule of Expenditures of Federal Awards in accordance with the Uniform Guidance
- The availability of original financial records and related data, the completeness and availability of all minutes of the legislative or other bodies and committee meetings;
- Management's responsibility for the City's compliance with laws and regulations;
- The identification and disclosure to the auditor of all laws, regulations, and provisions of contracts and grant agreements directly and materially affecting the determination of financial statement amounts and;
- The absence of fraud involving management or employees with significant roles in internal control.

Additionally, we will request representations, as applicable, regarding:

- The inclusion of all components, and the disclosure of all joint ventures and other related organizations;
- The proper classification of funds, net position and fund balances;
- The proper approval of reserves of fund equity;
- Compliance with laws, regulations, and provisions of contracts and grant agreements, including budget laws or ordinances; compliance with any tax or debt limits, and any debt covenants;
- Representations relative to GASB-required supplementary information;
- The identification of all federal assistance programs, and compliance with grant requirements.
- Events occurring subsequent to the fiscal year end requiring adjustment to or disclosure in the financial statements or Schedule of Expenditures of Federal Awards.

Management is responsible for adjusting the financial statements to correct misstatements we may detect during our audit and for affirming to us in the representation letter that the effects of any uncorrected misstatements we aggregate during our engagement and pertaining to the latest period the statements present are immaterial, both individually and in the aggregate, to the opinion units. (*Financial statements* include the related footnotes and required and other supplemental information).

Communication

Our Responsibilities

As part of this engagement the Auditor of State will communicate certain additional matters (if applicable) to the appropriate members of management and to those charged with governance. These matters include:

- The initial selection of and changes in significant accounting policies and their application;
- The process management uses to formulate particularly sensitive accounting estimates and the basis for their conclusions regarding the reasonableness of those estimates;
- Audit adjustments, whether posted or waived;
- Any disagreements with management, whether or not satisfactorily resolved, about matters that individually or in the aggregate could be significant to the financial statements or our opinion;
- Our views about matters that were the subject of management's consultation with other accountants about auditing and accounting matters;
- Major issues that were discussed with management related to retaining our services, including, among other matters, any discussions regarding the application of accounting principles and auditing standards; and
- Serious difficulties we encountered in dealing with management during the audit.

We will present those charged with governance our Summary of Unadjusted Differences (if any) at the conclusion of our audit.

Terms and Conditions Supporting Fee

As a result of our planning process, the City and the Auditor of State have agreed to an approach designed to meet the City's objectives for an agreed-upon fee, subject to the following conditions.

Our Responsibilities:

In providing our services, we will consult with the City regarding matters of accounting, financial reporting or other significant business issues. Accordingly, our fee includes estimated time necessary for this consultation. Circumstances may require the Auditor of State to confirm balances with your financial institution resulting in additional nominal charges which will not require an amendment to this agreement.

However, should a matter require research, consultation or audit work beyond this estimate, the Auditor of State and the City will agree to an appropriate revision in services and fee. These revisions will also be set forth in the form of the attached *Amendment to Letter of Arrangement*.

Your Responsibilities:

The City will provide in a timely manner all financial records and related information to us, an initial list of which has been furnished to you, including timely communication of all significant accounting and financial reporting matters, as well as working space and clerical assistance as mutually agreed upon and as is normal and reasonable in the circumstances. When and if for any reason the City is unable to provide these schedules, information and assistance, the Auditor of State and the City will mutually revise the fee to reflect additional services, if any, we require to achieve these objectives. These revisions will be set forth in the form of the attached *Amendment to Letter of Arrangement*.

Confidential Information:

You should make every attempt to minimize or eliminate the transmission of personal information to the Auditor of State (AOS). All documents you provide to the AOS in connection with our services including financial records and reports, payroll records, employee rosters, health and medical records, tax records, etc. should be redacted of any personal information. Personal information includes social security numbers, date of birth, drivers' license numbers or financial institution account numbers associated with an individual. The public office should redact all personal information from electronic records before they are transmitted to the AOS. This information should be fully blacked out in all paper documents prior to sending to the AOS. If personal information cannot be redacted from any records or documents; the public office must identify these records to the AOS.

If redacting this personal information compromises the audit or the ability to prepare financial statements, the public office and the AOS will consider these exceptions on a case-by-case basis. Additionally, if redacting this information creates a hardship on the public office in terms of resources, recordkeeping or other issues, the public office and the AOS may collaborate on alternative methods of providing the public office's data to the AOS without compromising the personal information of individuals served by the public office. The AOS is willing to work with the public office and it is our intent to greatly reduce the amount of personal information submitted to the AOS for audit or financial statement preparation purposes. It is important that the public office review internal policies to find ways to eliminate as much personal information from financial records as possible by substituting non-personal information (i.e., change social security numbers to employee identification numbers).

Fee

Except for any changes in fees and expenses which may result from the circumstances described above, we expect our fees and expenses for our audit services will not exceed \$37,023.

Pursuant to Ohio Rev. Code Section 117.13, you may charge all of this audit's cost to the general fund or you may allocate the cost among the general fund and other eligible funds in accordance with Auditor of State Bulletin 2009-011.

Reporting

We will issue a written report upon completing our audit of your financial statements. We will address our report to those charged with governance. We cannot assure you that we will issue an unmodified opinion. Circumstances may arise in which it is necessary for us to modify our opinion, add an emphasis-of-matter paragraph(s), or withdraw from the engagement.

Upon completing our audit, we will also issue a written report in accordance with *Government Auditing Standards* on internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters.

Access to Our Reports and Working Papers

AU-C 905—*Alert That Restricts the Use of the Auditor's Written Communication* requires our reports to disclose the following:

Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Required by Government Auditing Standards:

This report describes only the scope of our tests of internal control over financial reporting and on compliance and other matters and the results of these tests, and does not opine on the effectiveness of the City's internal control over financial reporting or on compliance or other matters. This report is an integral part of an audit performed under *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance. Accordingly, this report is not suitable for any other purpose.

Independent Auditor's Report on Compliance for Each Major Federal Program and on Internal Control Over Compliance Required by the Uniform Guidance:

This report only describes the scope of our tests of internal control over compliance and the results of these tests based on Single Audit requirements. Accordingly, this report is not suitable for any other purpose.

AU-C 905 requires us to include this restrictive language in our reports due to concerns that other readers may not fully understand the purpose of the report, the nature of the procedures applied in its preparation, the basis or assumptions used in its preparation, the extent to which the procedures performed are generally known or understood, and the potential for the report to be misunderstood, when taken out of the context for which it was intended.

However, under Revised Code Section 117.26, an audit report becomes a public record under Section 149.43, Revised Code, when we file copies of the report with the public officers enumerated in the Revised Code. When we file the reports, our working papers become available to the public upon request, subject to information protected for criminal investigations, by attorney-client privilege or by local, state or federal law. AU-C 905 does not affect public access to our reports or working papers.

Under generally accepted auditing standards, we must retain working papers for five years after the release date of our opinion. However, AOS policy requires we retain working papers for seven years or longer, as needed.

Peer Review Report

As required by *Government Auditing Standards*, we have attached a copy of our most recent external quality control review report (Peer Review). Audit organizations can receive a rating of *pass*, *pass with deficiency(ies)*, or *fail*. The Auditor of State received a peer review rating of *pass*.

Please sign and return this letter to indicate your acknowledgement of, and agreement with, the arrangements for our audit of the financial statements including our respective responsibilities. If you have any questions, please call Lindsey Young, Senior Audit Manager at 216-787-5834.

Very truly yours,

Dave Yost
Auditor of State of Ohio



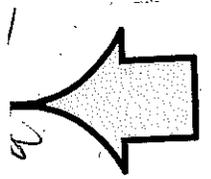
Dan Stuetzer, Chief Auditor

Attachment

cc: Keith Dirham, Director of Finance
Council

ACCEPTED BY Dennis Harwell
Mayor - City of Medina
TITLE

DATE



2CFR Part 200 REPORTING PACKAGE

2CFR Part 200 Ref.	Item	Responsibility	
		Auditee	Auditor
.508(b); .510(a)	Financial Statements	✓	
.515(a)	Report (opinion) on financial statements		✓
508(b); .510(b)	Schedule of Expenditures of Federal Awards	✓	
.515(a)	Report ("in-relation-to" opinion) on Schedule of Expenditures of Federal Awards		✓
.515(b)	Report on Compliance and Internal Controls - Financial Statements		✓
.515(c)	Report on Compliance and Internal Controls - (Major) Federal Awards		✓
.515(d)	Schedule of Findings and Questioned Costs ¹		✓
.508(c); .511(a),(b)	Schedule of Prior Audit Findings ⁴	✓	
.512(a), (b)	Data Collection Form ²	✓	✓
.511(c)	Corrective Action Plan ³	✓	

¹ Required in all cases

² You may only submit the reporting package and Data Collection Form electronically. The reporting package will be uploaded and submitted along with the Data Collection Form. The Federal Audit Clearinghouse will distribute the required reporting packages to the Federal agencies per Section __.512(d) of the Uniform Guidance , if the audit requires distribution to a Federal-funding agency. Complete the auditee certification process and submit the single audit reporting package and the Data Collection Form electronically to the Federal Audit Clearinghouse within the earlier of 30 days after receipt of our reports or nine months after the end of the audit period.

³ Required for any GAGAS level or UG findings

**SAMPLE
AMENDMENT # ___ TO LETTER OF ARRANGEMENT**

[Date]

[ENGAGEMENT LETTER ADDRESSEE]

Dear _____:

The letter of arrangement dated _____ between the Auditor of State and the City is hereby amended to reflect the following:

<u>Description of / Causes for Amendment</u>	<u>Estimated Fee Effect</u>
1	
2	
3	
4	

Total this amendment	\$0.00
Previous fee estimate	_____
Revised fee estimate	<u><u>\$0.00</u></u>

Please sign the copy of this letter in the space provided and return it to us. If you should have any questions, please call _____ at _____.

Very truly yours,

Dave Yost
Auditor of State of Ohio

(Name), Chief Auditor

cc: [Engagement Letter cc's]

ACCEPTED BY

DATE

TITLE



PEER REVIEW REPORT
April 3, 2015

The Honorable David Yost, Ohio Auditor of State
Office of Auditor of State
88 E. Broad Street, 5th Floor
Columbus, Ohio 43215

Dear Auditor of State:

We have reviewed the system of quality control of the Ohio Auditor of State (the office) in effect for the period March 1, 2014 through February 28, 2015. A system of quality control encompasses the office's organizational structure and the policies adopted and procedures established to provide it with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The design of the system and compliance with it are the responsibility of the office. Our responsibility is to express an opinion on the design of the system and the office's compliance with the system based on our review.

We conducted our review in accordance with the policies and procedures for external peer reviews established by the National State Auditors Association (NSAA). In performing our review, we obtained an understanding of the office's system of quality control for engagements conducted in accordance with professional standards. In addition, we tested compliance with the office's quality control policies and procedures to the extent we considered appropriate. These tests covered the application of the office's policies and procedures on selected engagements. The engagements selected represented a reasonable cross-section of the office's engagements conducted in accordance with professional standards. We believe that the procedures we performed provide a reasonable basis for our opinion.

Our review was based on selective tests; therefore it would not necessarily disclose all design matters in the system of quality control or all compliance matters with the system. Also, there are inherent limitations in the effectiveness of any system of quality control; therefore, noncompliance with the system of quality control may occur and not be detected. Projection of any evaluation of a system of quality control to future periods is subject to the risk that the system of quality control may become inadequate because of changes in conditions, or because the degree of compliance with the policies or procedures may deteriorate.

In our opinion, the system of quality control of Ohio Auditor of State in effect for the period March 1, 2014 through February 28, 2015 has been suitably designed and was complied with during the period to provide the audit organization with reasonable assurance of performing and reporting in conformity with *Government Auditing Standards* in all material respects. Audit organizations can receive a rating of *pass*, *pass with deficiency(ies)*, or *fail*. The Ohio Auditor of State has received a peer review rating of *pass*.

Keith Dommer, CPA
Team Leader
National State Auditors Association
External Peer Review Team

Kathleen A. Davies, CPA-PA
Concurring Reviewer
National State Auditors Association
External Peer Review Team

ORDINANCE NO. 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.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That the Mayor is hereby authorized and directed to enter into a 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.

SEC. 2: That a copy of the Agreements are marked Exhibit A and B, attached hereto and incorporated herein.

SEC. 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 4: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

ORD. 53-17
Exh. A

Sponsorship Agreement

This Agreement (the "Agreement") entered into this 1ST day of MAY, 2017, by and between the City of Medina (hereafter sometimes referred to as "City") at 132 North Elmwood Avenue, Medina, Ohio 44256 and Medina City Schools Board of Education (hereafter sometimes referred to as "Medina Schools" or "BOE") at 739 Weymouth Road, Medina, Ohio 44256 and Partner Marketing, LLC (hereafter sometimes referred to as "PM"), 334 Koontz Rd., Wadsworth, OH 44281.

Recitals

WHEREAS, the Medina City Schools is the owner of the Medina Recreation Center ("REC"); and

WHEREAS, the Medina City Schools Board of Education has a lease agreement with the City of Medina for certain use of the Medina Recreation Center located at 855 Weymouth Rd, Medina, OH 44256 by the City of Medina; and

WHEREAS, City and Medina Schools desires to continue the place sponsors inside the Medina Recreation Center; and

WHEREAS, PM desires to obtain sponsors for the City of Medina and Medina Schools and desires to cause sponsors to be placed in the Medina Recreation Center; and

WHEREAS, the City of Medina and Medina Schools desire to retain PM as their exclusive agent to obtain and place sponsors inside the Medina Recreation Center, and PM desires to be the exclusive agent for this purpose.

NOW, THEREFORE, for good and valuable consideration, the parties hereby agree as follows:

I. Responsibilities of Partner Marketing, LLC:

1. PM shall have all the duties of finding persons and companies which desire to place sponsorships inside the REC, preparing and executing contracts for sponsorship and for taking necessary steps to prepare sponsors so that all agree the signage is properly placed and approved by the Recreation Advisory Committee (RAC), Medina Schools, and the City of Medina.

2. All payments by sponsors will be paid directly to PM. PM shall pay the City and/or the Medina City Schools pursuant to the payment schedule below (minus any cost of goods or other requirements that any sponsor might require to fulfill any sponsorship). Payments by PM to the City shall be made within thirty (30) days of the previous month's close. A monthly reconciliation report will be provided to the City by PM each month. A copy of the Sponsor Agreement will be provided to the City for final approval.

3. PM shall not assign this contract without *written* consent of the City of Medina and with the consent of the Medina City Schools. City of Medina nor Medina Schools shall assign this contract without the written consent of PM.

4. PM agrees to incur all costs prior to and after a secured agreement between parties. The City and Medina Schools will incur no cost of marketing, development, advertising, selling, managing and/or cost of working with vendors that will be needed to execute this concept.

II. Responsibilities of the City of Medina.

1. PM shall be the exclusive agent for procuring sponsors for the City and Medina Schools at Medina Recreation Center (REC). This includes field house, natatoriums, fitness rooms, track, community rooms, and locker rooms/restrooms. The City and Medina Schools are prohibited from engaging any other person or entity which is in anyway related to procuring sponsors or in any way related to nature and purpose of the rights or responsibilities of this Agreement within the Medina Recreation Center. This excludes any pre-existing agreements such as the "Community Matters" agreement.

2. Any sponsorship leads that come to or are received by the City or Medina Schools in regards to REC sponsorships must be immediately directed to PM to complete sales procurement.

3. The City provides its consent and approval of PM to contract with designers, marketing entities and partners in order to accomplish the goal of selling donations and sponsorships consistent with this Agreement.

4. The City will permit PM to have reasonable access to the REC during operating hours to accomplish the terms of this agreement and to place sponsorships. Upon the advance agreement of the parties, PM may obtain access to the REC outside normal hours of operation.

III. Payment.

1. Payment Schedule and shared net revenue is for each payment for extent of the contracted term. This is defined as the gross contracted amount per month, year or any other time period sold to any sponsor minus all cost of goods associated with fulfilling the agreement which includes the design, fabrication, installation and/or the like. The cost of goods will also include the initial cost of the signage and if in the event signage needs repaired/replaced or maintenance for quality for any reason the repair, replace, and maintenance cost. In the event a sponsor ceases payment for whatever reason both parties would incur the liability of any costs.

	PM Share	City Share
• 1-12 month agreement	50%	50%
• 13-24 month agreement	40%	60%
• 25-36 month agreement	30%	70%
• 37+ month agreement	20%	80%

IV. Term

1. The term of this agreement shall be three (3) years beginning on MAY 1ST, 2017 with a three (3) year mutual agreement extension. Either party can opt out at any time, for any cause or no cause, after a minimum of 180 days of the execution of this initial Agreement and with a 60 day written notice. Any completed sales up to 60th day will be shared per the payment schedule. This includes any sales made that include monthly/yearly payments beyond the 60th day.

V. Sponsor Content

1. The Recreation Advisory Committee (RAC), Medina City Schools, and the City of Medina shall reserve the right to accept or reject any sponsor, sponsorship, including any signage which, by its content, language, or graphics, violates any law, guideline or policy. Moreover, the content of any sponsorship advertising, promotional material, signage, or donor messages shall be subject to approval of the RAC, Medina City Schools, and the City of Medina. The RAC, Medina City Schools, and the City of Medina reserve the right to remove any objectionable advertising, signage, or promotional material.

VI. Partner Marketing, LLC Ownership

1. All sponsorship items, customer lists, signage, websites, domains, phone numbers, collateral, search engines listings, social media sites, process, procedures and related materials generated by PM and its subcontractors for the effort of selling sponsorship on behalf of either the City or Medina Schools is and shall remain the property of PM.

VII. Pricing

1. PM, with the approval of the City, has the ability to determine pricing per any donation level and term. PM has the ability to negotiate pricing and terms per any potential sponsor. This may include bartering with sponsors in the event this will benefit the City in not paying for any given service/product that is deemed of value by the City. The City would be involved with the bartering negotiation. In the event this occurs, the total bartered amount/value will be agreed upon by PM. The cash value and percentage, per the above schedule, will be credited and paid to PM.

VIII. The Parties Further Agree as Follows:

1. In the event of vandalism or destruction of any signage or other items that are included in the sponsor "package" the cost to repair/replace the signage would be shared equally by PM and the City.

2. City, Medina Schools and PM will agree on the space that signage and/or other marketing materials can be placed within the REC.

IX. Miscellaneous

1. The parties agree that the laws of the State of Ohio shall control with regard to any and all contractual disputes that may arise and that any and all litigation undertaken or arising under this contract shall be presented in a court of competent jurisdiction within the State of Ohio.

2. The signatories hereto certify that they have full authority to execute and deliver this Agreement and that it is binding and enforceable in its terms upon the signatories hereto.

3. The foregoing contains all promises and representations by the parties and their agents, is the complete agreement between the parties, and neither party is relying on any other oral or written statement as an inducement to sign this Agreement.

Medina City Schools, Board of Education

By: _____ Date: _____

Title: _____

City of Medina, MCRC

By: _____ Date: _____

Dennis Hanwell
Title: Mayor

Partner Marketing, LLC

By: _____ Date: _____

Title: _____

Sponsor Agreement

This Agreement is entered into between _____
(hereinafter sometimes referred to as "Sponsor") and Partner Marketing, LLC on this _____
day of _____, 20____.

Recitals

Whereas, Partner Marketing, LLC is obtaining sponsors for placement at the Medina Recreation Center located at 855 Weymouth Road, Medina, Ohio 44256, as referenced in this Agreement.

Whereas, Sponsor desires to place itself and sponsor the Medina Recreation Center, as referenced in this Agreement.

NOW, THEREFORE, for good and valuable consideration, the parties agree as follows:

1. Sponsor Commitment. Sponsor is committing to the following:
 2. Sponsor Benefits. In exchange for sponsors commitment as referenced herein, Sponsor will receive the following benefits:
 3. Term. The term of this Agreement shall be for _____

_____.
4. Sponsor acknowledges and agrees as follows:
 - a. The Sponsor agrees and acknowledges that its benefits are limited to those outlined herein and that Partner Marketing, LLC reserves the right to solicit sponsors and pledges from any other source in exchange for any other benefits or similar benefits.
 - b. The Sponsor agrees and acknowledges that all signs, printed items, and any other items will permit the Sponsor to include its business name, logo, colors, domain name, phone number, and/or e-mail, but no Sponsor may promote a particular item, special, sale, new product, or any similar particular item or issue.

- c. The Sponsor agrees and acknowledges that the Sponsor is prohibited from offering or placing any item and may not promote any item in any particular way which could be interpreted to be offensive to the public, and may not include or promote in any manner any adult entertainment item or theme, or promote or relate in any way to alcohol, drugs, tobacco, religion or political themes. Sponsor further agrees that it must adhere to any and all additional legal guidelines and requirements and any guidelines, rules, and regulations of the City of Medina and the Medina Local School District. Sponsor agrees that it is subject to the approval of the Recreation Advisory Committee (RAC), Medina City Schools, and the City of Medina with respect to the content of any advertising, promotional material, signage, or donor messages as it concerns anything that Sponsor presents at the Medina Recreation Center. The RAC, Medina City Schools, and the City of Medina, reserve the right to remove any advertising, signage, or promotional material.
5. Termination. Partner Marketing, LLC may terminate the Sponsor benefits during the term of this Agreement for cause. In the event of a termination, Sponsor shall not be entitled to the return of any commitment. For purposes of this provision cause shall include the following:
- a. Any breach or anticipated breach of the Agreement;
 - b. Any act of Sponsor which appears negative or detrimental in any public domain;
 - c. A charge or conviction of any crime of Sponsor or any owner, officer, or executive associated with a Sponsor;
 - d. Any failure to comply with the law or government regulations by Sponsor or any owner, officer, or executive associated with a Sponsor.
6. Miscellaneous
- a. Assignment. Sponsor may not assign this Contract or the benefits in any manner.
 - b. Governing Law. Any controversy relating to this Agreement or the transactions contemplated hereunder shall be governed by the laws of Ohio and any related action shall be commenced and maintained in a State or Federal Court in the State of Ohio.
 - c. All materials developed, produced or used under this Agreement are and will remain the property of Partner Marketing, LLC.

SIGNED as of the day and year first written above.

Partner Marketing, LLC:

Sponsor:

Name: _____

By: _____

By: _____

Title of Representative

Title of Representative

ORDINANCE NO. 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.**

WHEREAS: Ordinance No. 18-02, passed February 11, 2002 established Miscellaneous Processing Fees for the Medina Community Recreation Center; and

WHEREAS: Ordinance No. 55-05, passed February 28, 2005, amended the Returned Check Fees for Insufficient Funds to Dishonored Payment Fee – refer to Sec. 125.06 of Medina City Code; and

WHEREAS: Ordinance No. 4-16, passed January 11, 2016, amended the Dishonored Payment Fee and the Membership Withdrawal Fee.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY
OF MEDINA, OHIO:**

SEC. 1: That the Miscellaneous Processing Fees for the Medina Community Recreation Center shall be amended to read as follows:

Sanctioned Employee Permit Fee	\$ 25.00
Dishonored Payment Fee	Refer to Sec. 125.06 of City Code.
Administrative Fee for Refund Requests	\$ 5.00
Rascal Room Late Fee (assessed for every 1-15 minute period over scheduled pick-up time)	\$ 5.00
ID Card Replacement Fee	\$ 5.00
Membership Withdrawal Fee	\$ 20.00
Monthly Membership Payment Plan Processing Fee	\$ 5.00/month
Membership Reinstatement Fee	\$ 20.00
Flexible Program Payment Plan Option	\$ 20.00
Credit Card Not Present Fee	\$ 5.00

SEC. 2: That Ordinance No. 4-16, passed January 11, 2016 is hereby repealed.

SEC. 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 4: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

ORDINANCE NO. 55-17

AN ORDINANCE AMENDING ORD. 127-15, PASSED OCTOBER 26, 2015, RELATIVE TO MEMBERSHIP RATES FOR THE MEDINA COMMUNITY RECREATION CENTER.

WHEREAS: That the Membership Rates for the Medina Community Recreation Center currently read as follows:

ANNUAL MEMBERSHIP RATES						
Effective January 1, 2016	Resident/School District		Universal Member			
	New	Renewal	New	Renewal		
Youth/College	\$173.00	\$161.00	\$240.00	\$225.00		
Adult	\$250.00	\$229.00	\$347.00	\$320.00		
Senior	\$130.00	\$120.00	\$152.00	\$138.00		
2-Person	\$426.00	\$395.00	\$594.00	\$552.00		
Family	\$564.00	\$527.00	\$785.00	\$738.00		
MEMBERSHIP CATEGORIES AND DEFINITIONS						
<p>“City/School District Residents” are defined as people who live within the Medina City limits OR within the Medina City School District OR who pay city property tax AND pay city income tax.</p> <p>“Universal Member” is defined as people who live outside the Medina City limits AND outside the Medina City School District.</p> <p>“Non-Members” are defined as people who do not purchase annual memberships.</p> <p>“Adult” is defined as any person 18 years of age or older.</p> <p>“Youth/Student” is defined as any person age 3-17 or any college student age 18-25 with a current college ID card. A discounted low income membership is available to youth who qualify (see Low Income Memberships)</p> <p>“Senior” is defined as any person 60 years of age and older.</p> <p>“2-Person” is defined as two adults (ages 18-59) who reside in the same household.</p> <p>“Family” is defined as a parent, legally married parents, or guardian and all children (17 & under) and/or current college student(s) age 18-25 residing in the same household. This fee is established for up to five family members, with each added member costing an additional \$35.</p> <p>“Corporate Member” – see Corporate/Business Membership Policy</p>						
CORPORATE MEMBERSHIP RATES*						
Discount	Res. Rate	10% off	15% off	20% off	30% off	
No. of Employees	5 – 24	25 – 49	50 - 99	100 – 174	175+	
<p>*Corporate rates are a percentage deducted off of the City/SD rate based on the number of applications submitted upon start or renewal. New corporate memberships start at a 20% discount for the first year then are based on the number of memberships purchased at the time of renewal.</p>						
Daily Pass Rate:		\$7.00 per person				
Group Discount Rate:						
Group of 10 to 25		\$5.00 per person				
Group of more than 25		\$4.00 per person				
Aquatics Area Only Day Pass		\$3.00 per person				

Daily Pass Punch Cards:		
5 Visit Daily Pass Punch Card		\$25.00
10 Visit Daily Pass Punch Card		\$50.00
5 Visit Daily Pass Punch Card for individuals or organizations that serve special needs populations		\$15.00
Military Day Pass		\$3.00 per person
Qualified Veteran Day Pass		\$3.00 per person
Special Event Day Pass		\$1.00-\$3.00 per person (depending on event)
SUMMER SPECIAL MEMBERSHIP		
Summer Special Membership is a three month membership that starts between May 1 st and July 1 st and ends exactly three months from the start date. (Does not include access to outdoor Municipal Pool.)		
Effective January 1, 2016	Resident/School District	Universal Member
Youth/College	\$92	\$137
Adult	\$92	\$137
Senior	\$92	\$137
Family	\$246	\$355
A. Current members registered under the Facility Membership plan are eligible for the renewal rates if they renew before their expiration date.		
B. Members of any Medina City Board or Commission, as established in Part One, Title Seven of the Administrative Code of the City of Medina or created by ordinance of Council, may be permitted to purchase or renew their Medina Community Recreation Center membership at the City's corporate membership rate.		
C. Low Income Memberships are available to youth who qualify for the National School Lunch Program, and apply a 50% discount to a youth, youth plus one adult, or a full family membership that includes the qualifying youth. The adult must be a parent or guardian of the qualifying youth.		
D. Active Military qualifies for an annual membership discount of 15% off resident rates upon submission of verification paperwork. Active Military personnel on leave are eligible for two weeks free admission to the Recreation Center with dated verification of leave paperwork.		
Challenged Individual Reduced Rate		
Verified mentally or physically challenged individuals shall be reviewed on a case by case basis and will be charged the Senior Rate.		

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That the Membership Rates for the Medina Community Recreation Center are hereby amended as follows:

ANNUAL MEMBERSHIP RATES				
Effective January 1, 2017	Resident/School District		Universal Member	
	New	Renewal	New	Renewal
Youth/College	\$173.00	\$161.00	\$240.00	\$225.00
Adult	\$250.00	\$229.00	\$347.00	\$320.00
Senior	\$130.00	\$120.00	\$152.00	\$138.00
2-Person	\$426.00	\$395.00	\$594.00	\$552.00
Family	\$564.00	\$527.00	\$785.00	\$738.00

MEMBERSHIP CATEGORIES AND DEFINITIONS

“City/School District Residents” are defined as people who live within the Medina City limits **OR** within the Medina City School District **OR** who pay city property tax **AND** pay city income tax.

“Universal Member” is defined as people who live outside the Medina City limits **AND** outside the Medina City School District.

“Non-Members” are defined as people who do not purchase annual memberships.

“Adult” is defined as any person 18 years of age or older.

“Youth/Student” is defined as any person age 3-17 or any college student age 18-25 with a current college ID card. A discounted low income membership is available to youth who qualify (see Low Income Memberships)

“Senior” is defined as any person 60 years of age and older.

“2-Person” is defined as two adults (ages 18-59) who reside in the same household.

“Family” is defined as a parent, legally married parents, or guardian and all children (17 & under) and/or current college student(s) age 18-25 residing in the same household. This fee is established for up to five family members, with each added member costing an additional \$35.

“Corporate Member” – see Corporate/Business Membership Policy

CORPORATE MEMBERSHIP RATES*

Discount	Res. Rate	10% off	15% off	20% off	30% off	
No. of Employees	5 – 24	25 – 49	50 - 99	100 – 174	175+	

*Corporate rates are a percentage deducted off of the City/SD rate based on the number of applications submitted upon start or renewal. New corporate memberships start at a 20% discount for the first year then are based on the number of memberships purchased at the time of renewal.

Daily Pass Rate:	\$7.00 per person
Group Discount Rate:	
Group of 10 to 25	\$5.00 per person
Group of more than 25	\$4.00 per person
Aquatics Area Only Day Pass	\$3.00 \$4.00 per person

Daily Pass Punch Cards:	
5 Visit Daily Pass Punch Card	\$25.00
10 Visit Daily Pass Punch Card	\$50.00
5 Visit Daily Pass Punch Card for individuals or organizations that serve special needs populations	\$15.00
Military Day Pass	\$3.00 per person
Qualified Veteran Day Pass	\$3.00 per person
Special Event Day Pass	\$1.00-\$3.00 per person (depending on event)

SUMMER SPECIAL MEMBERSHIP

Summer Special Membership is a three month membership that starts between May 1st and July 1st and ends exactly three months from the start date. (Does not include access to outdoor Municipal Pool.)

Effective January 1, 2017	Resident/School District	Universal Member
Youth/College	\$92	\$137
Adult	\$92	\$137
Senior	\$92	\$137
Family	\$246	\$355

A. Current members registered under the Facility Membership plan are eligible for the renewal rates if they renew before their expiration date.

B. Members of any Medina City Board or Commission, as established in Part One, Title Seven

of the Administrative Code of the City of Medina or created by ordinance of Council, may be permitted to purchase or renew their Medina Community Recreation Center membership at the City's corporate membership rate.

C. Low Income Memberships are available to youth who qualify for the National School Lunch Program, and apply a 50% discount to a youth, youth plus one adult, or a full family membership that includes the qualifying youth. The adult must be a parent or guardian of the qualifying youth.

D. Active Military qualifies for an annual membership discount of 15% off resident rates upon submission of verification paperwork. Active Military personnel on leave are eligible for two weeks free admission to the Recreation Center with dated verification of leave paperwork.

Challenged Individual Reduced Rate

Verified mentally or physically challenged individuals shall be reviewed on a case by case basis and will be charged the Senior Rate.

SEC. 2: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 3: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 56-17

AN ORDINANCE ESTABLISHING PROGRAM RATES AND POOL RENTAL RATES FOR THE NEWLY RENOVATED MEMORIAL PARK POOL.

WHEREAS: That the Medina Community Recreation Center and the Parks Department are requesting City Council’s approval to establish program and pool rental rates for the newly renovated Memorial Park Pool.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That the Memorial Park Pool Rental Rates and Program Rates shall be as follows:

Memorial Pool Rental Rates

1. Rental of Cabana during pool hours:

- * Rent fenced area including shade structure
- * Daily admission rates apply for all attendees.
- * Shared use of the pool with other patrons
- * Flat rate for one 3-hour block of time:

11:30a-2:30p
3:30p-6:30p

Flat rate for 3-hour Cabana Rental			
Weekday		Weekend	
Resident	Non-Resident	Resident	Non-Resident
\$25	\$35	\$35	\$45

2. Rental of Pool before or after regular hours:

- * Rent the pool and grounds
- * Exclusive use of the pool during the scheduled rental time
- * Hourly rate during the following hours:

8:30am-10:30am
7:30pm-9:30pm
- * Maximum 2-hour rental
- * Pool Rental Fee: is for the use of the pool
- * Lifeguard Fee: will vary depending on a variety of factors including number of people, ages, length of rental, number of lifeguards required by the state, etc.

Hourly rate for Before or After Hours Pool Rental			
Pool Rental Fee		Lifeguard Fee	
Resident	Non-Resident	Hourly Rate Based on # People	
\$75	\$75	40 People	4 Lifeguards
		50 People	5 Lifeguards
		60 People	6 Lifeguards
		Maximum of 200	7 Lifeguards

Programs

All programming held at the Outdoor Municipal Pool falls under the same programs pricing policy as the rest of the MCRC's existing Aquatics Program Fees for the Medina Community Recreation Center and be included with that ordinance. (Ref. Ord. 57-17)

SEC. 2: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 3: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

ORDINANCE NO. 57-17

AN ORDINANCE AMENDING THE AQUATICS PROGRAM FEES FOR THE MEDINA COMMUNITY RECREATION CENTER AND THE MEMORIAL PARK POOL.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That the Aquatic Program Fees for the Medina Community Recreation Center and the Outdoor Memorial Park Pool are as follows:

AQUATICS

Program Category	Member Fee Per Hour	Nonmember Fee Per Hour
Water Exercise	\$7.00	\$9.00
Program Walk In Rate	\$7.00	\$9.00
Specialized Aquatics	\$10.00	\$12.00
WSI Classes	\$180.00/course	\$200.00/course
Lifeguarding Today	\$180.00/course	\$200.00/course
Lifeguarding Review	\$100.00/course	\$110.00/course
Learn to Swim Programs	\$7.00	\$9.00
Special Populations	\$7.00	\$9.00
Youth/Teen Aquatics	\$7.00	\$9.00
Adult Aquatics	\$7.00	\$9.00
Older Adult Aquatics	\$7.00	\$9.00
Aquatic Special Events	\$7.00	\$9.00
Rec. Swim Team	\$500.00/season	\$600.00/season
Aquatic Clubs	\$7.00	\$9.00

SEC. 2: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 3: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

ORDINANCE NO. 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.

WHEREAS: Various Sections of the Planning and Zoning Code of the City’s Codified Ordinances include minor and substantive editing mistakes stemming from the 2013-2014 Zoning Code Update process completed in 2014; and

WHEREAS: The City desires to clarify and unify all such references, remove regulatory duplication and /or contradiction, cleanup minor and substantive editing mistakes; and

WHEREAS: The Planning Commission, at its February 9, 2017 meeting, approved a recommendation to City Council to amend the following sections of Part 11 – Planning and Zoning Code of the City of Medina Codified Ordinances, Sections 1105.0129, 1105.0163, 1113.05(k)(3), 1109.04(c)(10)(D), 1123.02, 1123.03, 1123.04, 1123.05, 1125.02, 1125.03, 1125.04, 1125.05, 1131.05, 1137.10, 1141.04, 1147.12 and 1147.14(f) as presented in the Planning Commission staff report for case P17-02 dated February 9, 2017; and

WHEREAS: The public hearing relative to these Planning and Zoning Code amendments was duly held April 10, 2017.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That the amendments as set forth by the Planning Commission in their report dated February 9, 2017 for Case No. P17-02 are hereby adopted, marked Exhibit A, attached hereto, and incorporated herein.

SEC. 2: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 3: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

Effective date: May 24, 2017

For City Council Public Hearing – as of February 27, 2017

1. Changes to Sections 1105.0129 and 1105.0163 of Chapter 1105 Definitions

1105.0129 ~~Deleted PLANNED UNIT DEVELOPMENT.~~

~~—"Planned unit development" means a development which is planned to integrate mixed uses, and in which lot size, setback lines, yard areas and dwelling types may be varied and modified to achieve particular design objectives and make provision for open spaces, common areas, utilities, public improvements and collateral nonresidential uses.~~

1105.0163 ~~Deleted USED MOTOR VEHICLE LOT.~~

~~—"Used motor vehicle lot" means any lot on which two (2) or more motor vehicles, which have been previously titled in a name other than the manufacturer or dealer, in operating condition, are offered for sale or displayed to the public.~~

Staff comment:

The Planned Unit Development definition should be removed because it is not a use or development review process within the current Planning and Zoning Code. The Used Motor Vehicle Lot definition should be removed because it is duplicative of and covered by definition Section 1105.0107 *Motor Vehicle, Truck, Trailer Or Farm Implement Sales And Service*.

2. Change to Section 1113.05(k)(3) of 1113.05 GENERAL USE REGULATIONS.

(k) Projections into Yard Areas. Every part of a required yard shall be open to the sky unobstructed, except for accessory buildings in a rear yard, and except for the ordinary projections of skylights, sills, belt-courses, cornices and ornamental features projecting not to exceed twelve (12) inches.

(1) Terraces, uncovered porches, platforms and ornamental features which do not extend more than three (3) feet above the level of the ground (first) story may project into a required side yard, provided these projections are distant at least two (2) feet from the adjacent lot line.

(2) The ordinary projections of chimneys or flues are permitted into the required side, rear and front yards.

(3) An open unenclosed porch or paved terrace may project into the required front and rear yard for a distance not to exceed ten (10) feet.

Staff Comment:

It is reasonable to permit such open porches into a required rear yard as it allows for comfort and flexibility of use for properties throughout the City, but provides definitive limits on continued building 'creep'.

Attachment 1

3. Change to 1123.02 PRINCIPALLY PERMITTED USES.

The following uses shall be permitted in the R-2 ~~High~~ Medium Density Urban Residential District:

4. Change to 1123.03 ACCESSORY USES.

The following uses shall be permitted as accessory uses in the R-2 ~~High~~ Medium Density Urban Residential District:

5. Change to 1123.04 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted as conditionally permitted uses in the R-2 ~~High~~ Medium Density Urban Residential District subject to the requirements of Chapter 1153, Conditional Uses. Numerical identification after each item corresponds to specific standards in Section 1153.04, Conditionally Permitted Use Regulations.

6. Change to 1123.05 LOT DEVELOPMENT STANDARDS.

Lots in the R-2 ~~High~~ Medium Density Urban Residential District shall adhere to the following standards:

7. Change to 1125.02 PRINCIPALLY PERMITTED USES.

The following uses shall be permitted in the R-2 R-3 High Density Urban Residential District:

8. Change to 1125.03 ACCESSORY USES.

The following uses shall be permitted as accessory uses in the R-2 R-3 High Density Urban Residential District:

9. Change to 1125.04 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted as conditionally permitted uses in the R-2 R-3 High Density Urban Residential District subject to the requirements of Chapter 1153, Conditional Uses. Numerical identification after each item corresponds to specific standards in Section 1153.04, Conditionally Permitted Use Regulations.

10. Change to 1125.05 LOT DEVELOPMENT STANDARDS.

Lots in the R-2 R-3 High Density Urban Residential District shall adhere to the following standards:

Staff Comment:

The above eight amendments are simply cleanup and correction items on mistakes during the 2012-2014 Planning and Zoning Code update effort.

Attachment 1**11. Change to 1131.05 LOT DEVELOPMENT STANDARDS.**

Lots in the C-S Commercial Service District shall adhere to the following standards:

Minimum Lot Size	• None
Minimum Lot Width at Building Line	• 100 Feet
Minimum Lot Frontage	• 100 Feet
Maximum Lot Depth	• 50 Feet None
Minimum Usable Open Space	• None
Maximum Lot Coverage	• 60%
Maximum Building Size	• None
Maximum Building Width	• None

Staff Comment:

Removing this maximum standard is reasonable, since 50 feet as a 'maximum depth' doesn't appear to have any logical or rational reason. Such a lot would have little use and it currently makes almost all the existing C-S zoned properties in the City unnecessarily nonconforming.

13. Change to Section 1137.10 MULTI-FAMILY USE REQUIREMENTS.

When multiple-family uses are permitted within a C-3 General Commercial District, such uses should be located to provide transition areas between intensely developed commercial areas and single-family use areas. Multiple-family uses within the C-3 General Commercial District shall conform to all applicable requirements of the R-4 District, including the density limitation in Section 1127.05, R-4 Lot Development Standards, the height limitation in Section 1127.05 and the conditional use requirements listed in Section 1153.04 (a) (5), (11), (16), (27), (28), (29), ~~(30)~~.

Staff Comment:

Removing conditional use requirement #30 is necessary because it cannot apply to multi-family developments within the C-3 zoning district. Requirement #30 relates to the development of Mobile Home Park uses, which is not a permitted or conditionally permitted use in the C-3 zoning District.

Attachment 1

15. Change to Section 1147.12 preamble of 1147.12 SIGNS FOR RESIDENTIAL USES IN ALL DISTRICTS AND SIGNS IN RESIDENTIAL, OPEN SPACE-CONSERVATION, AND PUBLIC FACILITIES DISTRICTS.

The following signs shall be permitted for residential uses in all districts, and for all uses in the R-1, R-2, R-3, R-4, O-C, and P-F Districts:

16. Changes to 1141.04 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted as conditionally permitted uses in the I-1 Industrial District subject to the requirements of Chapter 1153, Conditional Uses. Numerical identification after each item corresponds to specific standards in Section 1153.04, Conditionally Permitted Use Regulations.

Residential	Public/Semi-Public	Commercial
• None	• Conservation Use	• Commercial Entertainment
	• Educational Institution for Higher Education	• Commercial Recreation
	• Passenger Transportation Agency and Terminal	• Contractor's Equipment Storage Yard or Plant, or Storage and Rental of Equipment Commonly Used by Contractors - Must be Completely Enclosed if Facing a Non-Residential District
	• Publicly Owned or Operated Governmental Facility ^{3,7,8,11}	• Cremation Facility
	• Wireless Telecommunication Facility	• Heavy Manufacturing
		• Open Air Building Materials Sales Yard and Lumber Yard
		• Motor Vehicle, Truck, Trailer and Farm Implement Repair, Service and Storage (Excluding Body Work, Painting, Engine Overhaul)
		• Retail
		• Truck Wash

Staff Comment:

The above amendment corrects a mistake as the intent of such a restriction is to buffer/screen such uses from residential uses only.

Attachment 1

17. Change to Sections 1147.14(f) of 1147.14 SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS.

(f) In the C-1 and C-2 District only, one temporary ground or wall sign not exceeding six (6) square feet in area for each nonresidential building. In the C-S and C-3 Districts only, one temporary ground or wall sign not exceeding twelve (12) square feet in area for each nonresidential building. In the I-1 District only, one temporary ground or wall sign not exceeding twenty-four (24) square feet in area for each nonresidential building. Such sign shall be permitted for a maximum of fifteen (15) consecutive days, and not more than sixty (60) days during each year. A real estate sign shall be exempt from the time limits referenced above and shall be removed within seven (7) days after the close of sale, rent or lease of the property to which the sign pertains. A sign that announces a specific event, action or activity shall be removed within seven (7) days after the close of the event, action or activity to which the sign pertains.

(1) During the Ohio Department of Transportation's project 430(16) MED-42-17.80 PID 92954, which is the widening and reconstruction of US Route 42 (named North Court Street within the City of Medina, OH), properties addressed from 748 North Court Street to 1235 North Court Street are exempt from the temporary sign time limits outlined in Section 1147.14(f) above. This exemption shall expire upon the completion of project 430(16) MED-42-17.80 PID 92954 and this subsection is intended to be removed when no longer applicable.

Staff Comment:

The above amendment is intended to provide relief from the time limits on temporary signs, which would allow temporary signs continually during the US Rout 42 road widening construction project on North Court St. within the City of Medina. This would be narrowly targeted to be permitted only on the properties/businesses directly affected by the project. It would not apply to commercially zoned properties outside the project area and is intended to expire when the project it completed at which time it should be removed from the code.

Attachment 1

18. Changes to Section 1109.04(c)(10) of 1109.04 DESIGN REVIEW GUIDELINES.

(10) The following styles and materials are inappropriate and shall be discouraged from use:

- A. Mansard roofs for one-story structures in an area that is residential in character,
- B. Pre-engineered metal buildings and "pole buildings",
- C. Exposed concrete or cinder block on the front or sides of any building (except split face, ½ high or other special "architecturally patterned" block),
- D. ~~EIFS~~ or Stucco appearance, unless it is utilized with bands of accent color, recessed or protruding belt courses, wide reveals, or combinations thereof,
- E. Sheet metal siding, except as rain gutter/downspouts; exposed unstained wood; exposed steel nails; vinyl siding; and flimsy vertical wood siding (e.g., T-111),
- F. Bright or primary colors, and/or awnings which are in stark contrast to other structures in the surrounding area and/or the design of the proposed structure.

Staff Comment:

The amendment proposes removing the current limitation on EIFS for building facades under the Site Plan review design guidelines. The PC reviewed and approved two projects in 2016 (Mattress Warehouse and Kay Jewelers) that both incorporated EIFS into the building façade design with good results. Therefore, the PC believes explicitly discouraging these materials/finishes is not necessary.

RESOLUTION NO. 59-17**A RESOLUTION AUTHORIZING PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION'S COOPERATIVE PURCHASING PROGRAM FOR THE PURCHASE OF SODIUM CHLORIDE (ROCK SALT), AND DECLARING AN EMERGENCY.**

WHEREAS: Section 5513.01(B) provides the opportunity for Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges or Universities to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies or other articles.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:

SEC. 1: That the Mayor hereby requests authority in the name of the City of Medina to participate in the Ohio Department of Transportation contracts for sodium chloride (rock salt), Contract 018-18 and agrees:

- 1) To purchase an estimated salt tonnage of 1,000 tons (stockpile capacity 1,600 tons) exclusively from the vendor awarded the sodium chloride contract for the county in which said political subdivision is located;
- 2) To be bound by the terms and conditions of the contract;
- 3) To be responsible for payment directly to the vendor for the quantities purchased under the contract; and
- 4) To be responsible for resolving disputes arising out of participation in the contract and, to the extent allowable under Ohio law, hold the Director of Transportation and the Ohio Department of Transportation harmless for any claim or dispute arising out of participation in the contract pursuant to Ohio Revised Code Section 5513.01(b).

Minimum Order = 1 truckload/22 tons without piler or 200 tons with piler

Stockpile Location: 781 West Smith Road
Medina, OH 44256
Stockpile Capacity: 1,600 tons
Tons Required: 1,000 tons (estimated)

Participating Political Subdivisions are intended beneficiaries under this contract and are real parties in interest with the capacity to sue and be sued in their own name without joining the state of Ohio, Ohio Department of Transportation. By signing and returning this agreement, you will be bound to participate in this contract during the upcoming winter season, upon award of the contract to a successful vendor. A participating Political Subdivision cannot change its position during this contract period. Termination of participation is effective upon the expiration date of the contract. Failure of a Political Subdivision to purchase its requirements from the awarded vendor or comply with the terms of this contract may invalidate participation for the following winter season.

Political subdivisions will be required to submit a new participation agreement form every year indicating storage capacity and stating salt needs for the contract period.

SEC. 2: That a copy of the Agreement is marked Exhibit A, attached hereto and incorporated herein.

SEC. 3: That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Resolution to the Ohio Department of Transportation, Office of Contracts, Purchasing Services, prior to the mailing of Invitation 018 each year.

SEC. 4: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 5: That this Resolution shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that the contract is due by May 10, 2017; wherefore, this Resolution shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

**RESOLUTION NO. 59-17 AUTHORIZING PARTICIPATION
IN THE ODOT WINTER CONTRACT (018-18) FOR ROAD SALT**

WHEREAS, the **City of Medina, Medina County** (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual winter road salt bid (018-18) in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT winter road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the winter road salt contract and acknowledges that upon of award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the winter road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT winter road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the winter road salt contract; and
- d. The Political Subdivision hereby requests through this participation agreement a total of **1,000** tons of Sodium Chloride (Road Salt) of which the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its above-requested salt quantities from its awarded salt supplier during the contract's effective period of October 1, 2017 through April 30, 2018; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT winter salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Thursday, June 1, 2017. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT winter road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT winter salt contract:

_____ (Authorized Signature) _____ Approval Date
Dennis Hanwell, Mayor

_____ (Authorized Signature) _____ Approval Date
John M. Coyne, III, President of Council

_____ (Authorized Signature) _____ Approval Date
Attest – Clerk of Council

**THIS RESOLUTION MUST BE UPLOADED TO THE WINTER SALT PARTICIPATION WEBSITE
BY NO LATER THAN WEDNESDAY, MAY 10, 2017.**

PLEASE NOTE: THE DEPARTMENT WILL NOT ACCEPT TYPED SIGNATURES. PARTICIPATION AGREEMENTS SUBMITTED WITH TYPED SIGNATURES WILL BE INVALID AND INELIGIBLE FOR APPROVAL. YOU CANNOT SUBMIT A WORD DOCUMENT VERSION OF THIS PARTICIPATION AGREEMENT. NO EXCEPTIONS.

