

**CITY OF MEDINA  
AGENDA FOR COUNCIL MEETING (Amended)**

June 25, 2018  
Medina City Hall  
7:30 p.m.

**Call to Order.**

**Roll Call.**

**Reading of minutes.** (June 11, 2018)

**Reports of standing committees.**

**Requests for council action.**

**Reports of municipal officers.**

Senate Resolution presented by Senator Larry Obhof for the City of Medina Bicentennial and to Robert Hyde, Grand Marshal of the Bicentennial Parade

**Notices, communications and petitions.**

**Liquor Permit:**

Not to object to the issuance of a new D1, D2 and D3 permit to High Voltage LLC, dba High Voltage Indoor Karting, 333 Foundry Street.

**Liquor Permit:**

Not to object to the issuance of a new C1 and C2 permit to ALDI Inc. Ohio, dba ALDI 4, 1180 N. Court Street.

**Unfinished business.**

**Introduction of visitors.**

(speakers limited to 5 min.)

**Introduction and consideration of ordinances and resolutions.**

Ord. 99-18

An Ordinance authorizing the Mayor to enter into an Agreement with Lafayette Township Trustees for Community Policing Law Enforcement Services in its jurisdiction.

Ord. 100-18

An Ordinance authorizing the Mayor to enter into an Agreement with Wintrow Construction Inc. to complete repair work on the City railroad track.

**Council comments.**

**Ward 3 Council vacancy interviews.**

Eric Heffinger  
John Albert  
Michele Nichols  
Andrew Arehart  
Keith Rasey

**Executive session.** (personnel)

**Adjournment.**

**Opening:**

Medina City Council met in regular, open session on Monday, June 11, 2018. The meeting was called to order at 7:30 p.m. by President of Council John Coyne who led the Pledge of Allegiance.

**Roll Call:**

The roll was called with the following members of Council present J. Coyne, B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, and D. Simpson. Ward 3 is vacant.

Also present were the following members of the Administration: Mayor Dennis Hanwell, Keith Dirham, Greg Huber, Patrick Patton, Nino Piccoli, Chief Kinney, Chief Painter, Dan Gladish, Mike Wright, Jonathon Mendel, Kimberly Marshall and Jansen Wehrley.

**Minutes:**

Mr. Shields moved that the minutes from the regular meeting on May 29, 2018 as prepared and submitted by the Clerk be approved. The roll was called and the minutes were approved by the yeas of J. Coyne, B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, and D. Simpson.

**Reports of Standing Committees:**

Finance Committee: Mr. Coyne stated the Finance Committee met prior to this evening's Council meeting and will meet again June 25th.

Health, Safety & Sanitation Committee:

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb had no report.

Streets & Sidewalks Committee: Mr. Simpson stated there is a Streets & Sidewalks meeting rescheduled for July 2<sup>nd</sup> at 5:00 p.m.

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

Emerging Technologies Committee: Mr. Rose is working on getting a meeting scheduled sometime after summer break.

**Requests for Council Action:**

**Finance Committee**

- 18-117-6/11 – Budget Amendments
- 18-118-6/11 – Lafayette Police Contract
- 18-119-6/11 – Repair of City of Medina Railroad Track

**Reports of Municipal Officers:**

**Dennis Hanwell, Mayor,** reported the following:

- 1) Outstanding community events upcoming:  
Let's Celebrate, Medina!

Saturday, June 16th from 10:00 – 2:00 during Pizza Palooza. The Medina Town Hall and Engine House Museum will feature a new display of photos, artifacts and clippings from Medina's Sesquicentennial in 1968.

Community Band Concerts on Public Square each Friday evening in June and July starting at 8:30 p.m.; also July 4th, same time.

243th Celebration of Army of Oath of Office to local recruits entering Army service will be on Public Square, Saturday, June 16 at noon.

Pizza Palooza - Saturday, June 16 at 1 p.m. pizza judging as well as community having opportunity to vote for "people's choice."

- 2) Free Yoga Classes by Half Moon Yoga - Sunday, June 17, public Square- 3 classes- 10 a.m., 11:30 a.m., and 3 p.m. Must bring own yoga mat.
- 3) Additional Bicentennial Upcoming events, please go to [www.medina200.com](http://www.medina200.com)
- 4) July 3rd Fireworks at MHS, at dusk. Rain date Saturday, July 7th.
- 5) July 4th Parade 4pm start- From MHS to Square celebrating Bicentennial.
- 6) Friends of Medina Memorial Park and Pool:  
Thursday, July 5th 7 p.m. to 9:30 p.m. - Celebrity/Pro Disc Golf Tournament and Vintage Car Show.  
Friday, July 6th from 10 a.m. to 7 p.m., all day family fun. Pool admission free all day and family activities

**Keith Dirham, Finance Director**, Mr. Dirham stated there is one thing that came from Finance and he will address it when they get there.

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

**Chief Kinney, Police Department**, Stated last Friday, June 8<sup>th</sup> Sergeant Brett McNabb graduated from the FBI National Academy in Quantico, VA. Chief Kinney wanted to publically acknowledge and congratulate Sergeant McNabb for that accomplishment, it's a tough school to get into and it is a 10 week program.

**Kimberly Marshall, Economic Development Director**, Kimberly stated on Friday, June 8<sup>th</sup> she attended the Medina Area Chamber of Commerce Hall of Fame recognition and induction dinner and publically congratulated Barbara Dzur for being inducted. Kimberly feels this award was not only well deserved but also long overdue.

With all the growth in the industrial and service sector of the city, we have reached out to and are now partnered with the Ohio Means Jobs Medina County Office, United Way employing Medina County and The Medina County District Library to host a job fair on Thursday, June 28<sup>th</sup> from 11 a.m. to 1 p.m. There will be approximately 30 businesses and companies registered to participate and this job fair is at no cost to the employer or to the job seekers.

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

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

**Mike Wright, Recreation Center Director**, stated that the Memorial Pool is now open from 11 a.m. to 7 p.m. every day of the week. Reminder for anyone that qualifies for the school lunch program that your membership at the outdoor pool is 50% off and so for a family of 5 that would only be \$100 for the summer and day passes would only be \$4. Note to our Senior Silver Sneaker Optimum Prime Members, your Rec membership ID cards can now also be used at the outdoor pool. Next Rec Advisory Board meeting will be Thursday, June 21<sup>st</sup> at 7:30 a.m. at the Rec Center.

**Jansen Wehrley, Parks and Recreation Director**, Jansen reminded the public that the splashpad at Fred Greenwood Park is open from 11 a.m. to 8 p.m. Ray Mellert Park splashpad is open from 12 p.m. to 8 p.m. Occasionally there are maintenance shut downs or failures to equipment and the public should call the non-emergency number for the Medina Police at 330-725-7777 and they will get a technician out there to repair it.

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

**Patrick Patton, City Engineer**, Mr. Patton stated most people know Guilford Blvd. south of East Smith Rd. was closed last week so the bridge can be replaced and this will be in effect until early to mid-August, there are detours in place. They have been and will continue to monitor traffic and make any modifications or adjustments as necessary if we feel we can improve it.

Forest Meadows has been closed for reconstruction and is expected to open by the end of this week. The bad news is at the same time it opens Northland Drive will be closed for 30 days.

**Nino Piccoli, Service Director**, stated the Service Department and personnel have been responding to flood calls from residents specifically in the Forest Meadows area and are working with property owners for a solution.

**Notices, Communications and Petitions:**

There were none.

**Confirmation of Council Committee Appointments:**

Health, Safety & Sanitation Committee, Chair – Dennie Simpson  
Board of Building Appeals – Dennie Simpson (exp. 12/31/19)  
EMS Advisory Board – Dennie Simpson  
Joint Ambulance District – Dennie Simpson  
Pro QA Steering Committee – Dennie Simpson

Mr. Shields moved to confirm Councils Appointments, seconded by Mr. Rose. Mr. Simpson stated he will abstain from the vote due to him being part of these appointments. The roll was called and passed by the yea votes of B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, and J. Coyne. D. Simpson abstained.

**Unfinished Business:**

There was none.

**Introduction of Visitors:**

There were none.

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

**Ord. 093-18:**

**An Ordinance rezoning 120 N. Court Street and 125 E. Liberty Street from C-2 to P-F, and 360 Foundry Street from R-3 to O-C.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 093-18, seconded by Mr. Simpson. Mr. Mendel stated these are city initiated rezonings of city properties. Planning Commission recommended approval of the rezoning to the City Council. It also went through the public hearing process. The roll was called and Ordinance/Resolution No. 093-18 passed by the yea votes of L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Lamb.

**Ord. 094-18:**

**An Ordinance authorizing the Mayor to execute a Revocable Use Permit with Birch Family Limited Partnership IV to use or occupy a portion of North Broadway public right-of-way at 100 Public Square with a business identification sign.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 094-18, seconded by Mr. Simpson. Jonathon explained this is for a new office tenant at 100 Public Square. The roll was called and Ordinance/Resolution No. 094-18 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Lamb, and L. Parnell-Cavey.

**Ord. 095-18:**

**An Ordinance amending Ordinance No. 5-18, passed January 8, 2018, relative to bids and awarding a contract for the Champion Creek Multi-Purpose Path and Streetscape Project.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 095-18, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 095-18, seconded by Mr. Simpson. Mr. Patton stated the low bid they received was a little over \$13,000 more than the amount authorized by Council in the previous ordinance. Patrick is recommending moving forward and awarding this contract, he believes the price is fair and this project is being paid 80% by a grant and the grant will cover the additional \$13,000. Emergency clause is requested due to the grant deadlines. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, J. Coyne, B. Lamb, L. Parnell-Cavey, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 095-18 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Lamb, L. Parnell-Cavey, and P. Rose.

**Ord. 096-18:**

**An Ordinance authorizing the payment to Your Construction for the private home rehabilitation at 27 Circle Drive, Medina Ohio as part of the PY16 CHIP Grant Program.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 096-18, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 096-18, seconded by Mr. Simpson. Mr. Mendel stated this is to allow for the execution of a CHIP private home rehabilitation project. The emergency clause is being requested so the contractor can be paid. The roll was called on adding the emergency clause and was approved by the yea votes

of B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 096-18 passed by the yea votes of J. Coyne, B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, and D. Simpson.

**Ord. 097-18:**

**An Ordinance authorizing the Mayor to sign the Plat of Survey creating new Medina City Lots.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 097-18, seconded by Mr. Simpson. Mr. Patton stated what they are doing here is creating four new city lots, one for City Hall, one for the Parking Deck, one will be a vacant area for the time being where the Masonic Temple used to be, and one will be a potential retail area abutting West Liberty Street. The roll was called and Ordinance/Resolution No. 097-18 passed by the yea votes of L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Lamb.

**Ord. 098-18:**

**An Ordinance amending Ordinance No. 177-17, passed December 11, 2017. (Amendments to 2018 Budget)** Mr. Shields moved for the adoption of Ordinance/Resolution No. 098-18, seconded by Mr. Simpson. Mr. Dirham stated several of these are donations which we are appreciative of but they need to be appropriated by Council in order to be spent and then there are changes between account numbers. The roll was called and Ordinance/Resolution No. 098-18 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Lamb, and L. Parnell-Cavey.

**Council Comments:**

Mr. Coyne stated at the next council meeting on June 25<sup>th</sup> we will have our interviews of the candidates for Ward 3 Councilperson.

Budget meetings on Wednesday, June 13<sup>th</sup> and Tuesday, June 19<sup>th</sup> at 5:30 p.m.

**Adjournment:**

There being no further business before Council, the meeting adjourned at 7:49 p.m.

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Kathy Patton, CMC - Clerk of Council

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John M. Coyne, President of Council

NOTICE TO LEGISLATIVE  
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

3833186 PERMIT NUMBER		NEW TYPE	HIGH VOLTAGE LLC DBA HIGH VOLTAGE INDOOR KARTING 333 FOUNDRY ST MEDINA OH 44256	
ISSUE DATE 05 30 2018				
FILING DATE				
D1 D2 D3 PERMIT CLASSES				
52 TAX DISTRICT	077	C	C00884 RECEIPT NO.	

FROM 06/06/2018

PERMIT NUMBER		TYPE		
ISSUE DATE				
FILING DATE				
PERMIT CLASSES				
TAX DISTRICT			RECEIPT NO.	



MAILED 06/06/2018

RESPONSES MUST BE POSTMARKED NO LATER THAN. 07/09/2018

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES C NEW 3833186

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD  IN OUR COUNTY SEAT.  IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)-  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF MEDINA CITY COUNCIL  
132 NORTH ELMWOOD AVENUE  
MEDINA OHIO 44256



NOTICE TO LEGISLATIVE  
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

01007781095 PERMIT NUMBER		NEW TYPE	ALDI INC OHIO DBA ALDI 4 1180 N COURT ST MEDINA OH 44256	
ISSUE DATE				
06 06 2018 FILING DATE				
C1 C2 PERMIT CLASSES				
52 TAX DISTRICT	077	C	C01154 RECEIPT NO.	

FROM 06/11/2018

PERMIT NUMBER		TYPE		
ISSUE DATE				
FILING DATE				
PERMIT CLASSES				
TAX DISTRICT			RECEIPT NO.	



MAILED 06/11/2018

RESPONSES MUST BE POSTMARKED NO LATER THAN 07/12/2018

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL

WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

C NEW 0100778-1095

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD  IN OUR COUNTY SEAT.  IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

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PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) -  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF MEDINA CITY COUNCIL  
132 NORTH ELMWOOD AVENUE  
MEDINA OHIO 44256

**ORDINANCE NO. 99-18**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH LAFAYETTE TOWNSHIP TRUSTEES FOR COMMUNITY POLICING LAW ENFORCEMENT SERVICES IN ITS JURISDICTION.**

**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 an Agreement with Lafayette Township Trustees for the purpose of providing Community Policing law enforcement services in its jurisdiction.
- SEC. 2:** That a copy of the Agreement for Community Policing Law Enforcement Services is marked Exhibit A, 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**

# AGREEMENT FOR COMMUNITY POLICING LAW ENFORCEMENT SERVICES

THIS AGREEMENT FOR COMMUNITY POLICING LAW ENFORCEMENT SERVICES (Agreement) is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2018, by and between The City of Medina, Medina County, Ohio (Medina), and the Trustees of Lafayette Township, on behalf of the Lafayette Township Police District (the Township).

## PURPOSE

The purpose of this Agreement is to provide the Township with law enforcement services to its jurisdiction. This agreement is written in accordance with O.R.C. Section 505.43 and 505.50, which specifically allows a Township and Municipal Corporation to contract for the provision of police protective services on any terms agreed upon.

This agreement is necessary for the health, safety and well-being of the Township and its inhabitants and consistent with the approval of a funding levy authorized by the voters of the Lafayette Police District on November 7, 2017 for a period ending December 31, 2022.

## TERMS

1. Law Enforcement Service. The Medina Police Department shall exercise community policing services on behalf of the Township in the same manner and to the same extent it exercises such services for the residents of The City of Medina. This means that the Medina City Police Department shall perform any police function, exercise any police power, or render any police service on behalf of the Township, which the Township may perform, exercise or render. This Agreement does not, however, suspend the Township's power to perform or exercise police services independent of the Medina Police Department, nor does it limit the Sheriff's authority to directly provide police protection services as permitted by law.

The Medina Police Department will add the Township to its Southwest sector (west of Court Street / south of Smith Road) and dedicate a police vehicle for service in that sector for each shift, twenty-four hours, seven days every week of the year, except emergency situations, shift change and processing of prisoners or case investigation resulting from activity in that sector. Backup will be provided as necessary with other Medina Police Officers or nearest police resources. Medina Police will respond to all emergency fire calls per its medical response protocol.

In return for said services the full proceeds of the Township Police District Levy will be passed through to the City of Medina.

In addition the existing levy surplus will be set aside and saved to finance any extraordinary cost that may arise as determined and authorized by the Township.

The City of Medina will submit monthly reports to the Township involving police activity in the Township and provide an officer to attend a Township meeting once a month to present and discuss said report with the Board of Trustees.

2. Separate Entities. The parties agree that the Township and City of Medina are separate and independent legal entities with full authority to perform all acts as necessary to enter into this agreement.

The Parties further agree, that for all legal purposes, the City Police Officers operating under this Agreement within the Township are City of Medina employees under the exclusive control of the City of Medina and shall be covered by its liability insurance the same as other City Police Officers.

3. Medina Liaison. The Medina Police Chief shall designate in writing one officer, in addition to himself, to serve as a direct contact for the Township Board of Trustees to discuss service issues. A direct phone number and email address shall be provided for said officer.
4. Rules and Regulations. All Medina Police Officers who perform law enforcement services for the Township pursuant to this Agreement must observe the normal standards of the Medina Police Department and all Department policies, rules and regulations.

5. Integration. This writing embodies the complete Agreement between the City of Medina and the Township and no other promises, conditions, or terms, express or implied, exist between the City of Medina and the Township.
6. Term. This Agreement shall be in full force and effect until December 31, 2022. Both Parties, however, retain the right to cancel this contract upon ninety days written notice. The Township will have no obligation for any expenses, including, but not limited to unemployment compensation, upon termination of the term, or cancellation of, this Agreement.

**WHEREFORE**, in consideration of the mutual covenants and promises set forth, the parties hereby execute this Agreement for law enforcement services.

**LAFAYETTE TOWNSHIP  
POLICE DISTRICT:**

BY: \_\_\_\_\_  
Michael Costello,  
Lafayette Township Trustee

BY: \_\_\_\_\_  
Martin Warchola  
Lafayette Township Trustee

BY: \_\_\_\_\_  
Lynda Bowers  
Lafayette Township Trustee

**CITY OF MEDINA**

BY: \_\_\_\_\_  
Dennis Hanwell  
Mayor / Safety Director

**ORDINANCE NO. 100-18**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH WINTROW CONSTRUCTION INC. TO COMPLETE REPAIR WORK ON THE CITY RAILROAD TRACK.**

**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 an agreement with Wintrow Construction Inc. to complete repair work on the City rail line in the area from SR 18 south to the southern end of the railway.

**SEC. 2:** That the estimated cost of the agreement, in the amount of \$34,000.00, is available in Account No. 145-0630-54411.

**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:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**

Effective date –

# Wintrow Construction Corp.

673 Norton Ave. Barberton, Ohio 44203

Tele: (330) 753-2983

6/5/2018

City of Medina  
Proposed Spray Products Track  
Railroad Repair Proposal  
Pat Patton

Per your request we inspected the track from Spray Products switch to A. I. Root switch and the following repairs are needed to put the track back into serviceable condition.

Wintrow Construction Corp. will provide all supervision, labor, equipment, and specified materials to complete the following described work:

**1. Remove all downed trees and brush from tracks**

All debris to be cut and stacked neatly along Right of Way

**2. Furnish and place 300 NT of #4 limestone ballast to fill in cribs and build up shoulders**

**Total      \$33,612**

**\*If these items are performed the track mentioned above will be "In Service" and meet WLE siding track standards\***

By: \_\_\_\_\_

*Authorization to Enter Onto the Property and Proceed With The Work*

**Contingencies/Notes**

Sales Taxes Not included in Quotation

No Warranty or Guarantees are apart of this proposal

Payment: Net 30 Days. Late payment charge of 1 1/2% (18% annum) will be charged on all past due balances.

We are not responsible for repair or relocation of Under Ground Utilities

Price quoted is for "Normal" excavation only or as described in the quotation..

"Hard Excavation" will be performed on T&M

Weather conditions prevail and may affect the construction schedule.

Track must be free of rail cars and rail traffic.

ONE Mobilization is included in the quotation.

All work is at straight time labor rates unless specified otherwise in the quotation  
Work description and material specifications haven't as yet been approved by the railroad

Engineering, plans and layout survey by others.

Material Subject to Pryor Sale

Progress payments are to be paid by the 15th of the month.

