

**CITY OF MEDINA
AGENDA FOR CITY COUNCIL MEETING**

June 14, 2021
Medina City Hall
7:30 p.m.

Call to Order.

Roll Call.

Reading of minutes. (May 24, 2021)

Reports of standing committees.

Requests for council action.

Reports of municipal officers.

Confirmation of Mayor's appointment.

Cemetery Commission – Susan Harr – Term Expiring 12/31/23

Notices, communications and petitions.

Liquor Permit:

Not to object to the transfer of a C-1 and C-2 permit from WJF Investment Corp, dba Medina Marathon, 429 S. Court St. to Manal Petroleum LLC, dba Medina Marathon, 429 S. Court St.

Unfinished business.

Introduction of visitors.

(speakers limited to 5 min.)

Introduction and consideration of ordinances and resolutions.

Motion to suspend the Rules requiring three readings on the following ordinances and resolutions:

Res. 90-21, Ord. 91-21, Res. 92-21, Ord. 93-21, Ord. 94-21, Ord. 95-21, Ord. 96-21, Ord. 97-21, Ord. 98-21, Ord. 99-21, Ord. 100-21

Res. 90-21

A Resolution commending Sandy Davis for her dedicated years of service to the City of Medina.

Ord. 91-21

An Ordinance authorizing the Job Creation Grant Payment of \$33,717.45 to Sandridge Food Corporation.

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Res. 92-21

A Resolution authorizing the filing on an Application for Grant Assistance from the Ohio Development Services Agency, Office of Housing and Community Development, in connection with the Small Cities PY21 Community Development Block Grant (CDBG) Program.
(emergency clause requested)

Ord. 93-21

An Ordinance establishing a Medina Municipal Court Special Projects Fund – Pre-Trial Drug Testing (Fund #157).

Ord. 94-21

An Ordinance authorizing the Mayor to solicit Requests for Proposals (RFP's) for Marketing & Solicitation Services for the Medina Community Recreation Center.

Ord. 95-21

An Ordinance authorizing the Mayor to enter into an Agreement with American Structurepoint, Inc. to provide Right-of-Way Acquisition Services for the West Smith Road, Phase 4 Project.

Ord. 96-21

An Ordinance amending Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio relative to Patrol Officers in the Police Department.

Ord. 97-21

An Ordinance authorizing the Mayor to enter into a Municipal Court Conceptual Design Agreement with Brandstetter Carroll, Inc.

Ord. 98-21

An Ordinance amending Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Parks and Recreation Department, Tree Care Technician Paygrade.

Ord. 99-21

An Ordinance of the Council of the City of Medina, Ohio 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.
(emergency clause requested)

Ord. 100-21

An Ordinance amending Ordinance No. 217-20, passed December 14, 2020. (Amendments to 2021 Budget)

Council comments.

Adjournment.

MEDINA CITY COUNCIL
Monday, May 24, 2021

Call to Order:

Medina City Council met in regular session on Monday, May 24, 2021 at Medina City Hall. The meeting was called to order at 7:30 p.m. by Council President John Coyne III who led in the Pledge of Allegiance.

Roll Call:

The roll was called with the following members of Council present P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, and B. Lamb.

Also present were the following members of the Administration: Mayor Dennis Hanwell, Greg Huber, Keith Dirham, Patrick Patton, Nino Piccoli, Jonathan Mendel, Police Chief Kinney, Fire Chief Walters, Jansen Wehrley, Dan Gladish, and Clerk of Council Kathy Patton.

Minutes:

Mr. Shields moved that the minutes from the regular meeting on Monday, May 10, 2021, as prepared and submitted by the Clerk be approved, seconded by Mr. Simpson. The roll was called and the motion passed by the yea votes of J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated Finance Committee met prior to Council this evening and will meet again on June 14th.

Health, Safety & Sanitation Committee: Mr. Simpson had no report.

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb stated he will schedule a meeting early in June to revisit the proposal on Demolition. Bill stated he met with and had meetings with some individuals that work with cats and have made good progress.

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

Water & Utilities Committee: Mrs. Hazeltine had no report.

Emerging Technologies Committee: Mr. Rose has no meetings scheduled but stated that he is making progress with the budget software.

Requests for Council Action:

- 21-101-5/24 – Budget Amendment
- 21-102-5/24 – Job Creation Grant Payment – Carlisle Brake & Friction
- 21-103-5/24 – Job Creation Grant Payment – Discount Drug Mart
- 21-104-5/24 – Job Creation Grant Payment – Sandridge Food Corporation
- 21-105-5/24 – Agreement w/ York Township for Snow & Ice Services 2021-22 Season
- 21-106-5/24 – Establish New Fund #157 – Pre-Trial Drug Testing Fund – Municipal Court
- 21-107-5/24 – Expenditure – Root Integrated Systems – Police Dept.

- 21-108-5/24 – PY21 CDBG Allocation Grant
- 21-109-5/24 – Authorize Contract w/ Brandstetter Carroll / Conceptual Design Municipal Court
- 21-110-5/24 – Job Creation Grant Payment – Progressive Medina
- 21-111-5/24 – Amend S&B Code 31.05 – Tree Care Technician – Parks Dept.
- 21-112-5/24 – RFP’s – Sponsorships at MCRC
- 21-113-5/24 – Motion to approve MCRC Sponsorship Banner
- 21-114-5/24 – Agreement – W. Smith Rd., Phase 4 R-O-W Acquisition Services

Reports of Municipal Officers:

Dennis Hanwell, Mayor

- A. **Covid-19-** Medina County moved to level two, Orange. Well done! Non- vaccinated constituents are still encouraged to wear masks and social distance. Effective June 2, all of the current COVID-19 restrictions will be lifted by the OH Department of Health. Exception would be quarantine and isolation orders from Health Department as those are covered in existing ORC provisions for over 70 illnesses. County may move to yellow with our reduced numbers of cases possibly this Thursday, May 27th.
- B. **Memorial Day service** - Monday, May 31 at 11 a.m. NO PARADE!
- C. **Thoughts and prayer to family of Richard Dirham-** Local business man, Councilperson, and Marine- father of our Finance Director Keith Dirham.
- D. **July 4th activities-** Fireworks will be set off at dark on July 3rd. All COVID-19 restrictions will be lifted effective June 2nd. The July 4th parade will line up at west lot of Medina HS at 3 p.m., and parade starts promptly at 4 p.m. Again, no COVID-19 restrictions will exist at that date unless added between now and then. **CANDY MAY NOT BE THROWN FROM VEHICLES!** We are asking all parade entries to display an American flag to honor our Independence Day. We do not expect new restrictions, but if any new COVID restrictions are added, we will share with newspapers and on social media.
- E. **Medina Community Band-** planning to have a July 4th concert at the Bandstand area vs Gazebo to spatially distance. The concert is tentative provided they may find rehearsal location and is weather dependent. More details to follow.
- F. **Issue 1 Passes-** I am thankful and appreciative that the Medina city voters passed Issue 1 on May 4. We have been working on a resolution for space and safety issues at the Medina Municipal Court for over two decades. This approval will permit the City of Medina to partner with Medina County which makes the most sense both operationally and fiscally for both the city and the county. Thank you to the Medina City voters!
- G. **Thankful** that Medina outdoor pool will be open Saturday, May 29th with no restrictions as well as our splash pads, Greenwood and Mellert Parks, will both open without restrictions June 2. With the lifting of the COVID-19 restrictions.

Keith Dirham, Finance Director, stated they’ve talked a few times about the American Rescue Plan Funds, there have been some updates. The Feds have dropped some guidance and we’ve had some webinars on it and now they are dropping changes to their guidance.

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Keith stated they are working through the budget software and will soon be ready to move forward. Keith thanked the Mayor for his kind words about his Father's passing. Keith stated that his father was a councilman for the City of Medina for 16 years. Richard Dirhams' model was to enjoy every day and try to make the world a little better place for having been here.

Greg Huber, Law Department, had no report.

Chief Kinney, Police Department, stated that the Medina Police Department is hiring for the position of Patrol Officer. Interested candidates can find information and apply at www.medinaoh.org under the employment tab. Application deadline is May 26th and written test is June 2nd. The successful candidates will move on to a physical fitness test at a later date.

Chief Walters, Fire Department, had no report.

Kimberly Marshall, Economic Development Director, had no report.

Jansen Wehrley, Parks and Recreation Director, updated everyone stating the beginning of last week they were able to install their permanent vault restroom at Sam Masi Park. This was purchased collaboratively with donations from the Stephenson Foundation as well as the Miracle League of Northeast Ohio. This permanent restroom is fully ADA accessible and will be a great addition to the park and The Medina Lions Miracle League field for the children over there. Jansen stated they are in the process of extending the Multi-Purpose trail on East Reagan Parkway and have been getting a lot of inquiry from the community. This trail will run from Larkens Way to North Court Street and is utilizing a Clean Ohio Trails Grant. The outdoor pool will open May 29th as long as the weather is above 70 degrees.

Hours of operation are Monday – Thursday 11 a.m. – 6 p.m. Closing earlier due to offering outdoor swimming lessons. Registration for that starts on June 1st.

Fridays and Saturdays 11 a.m. – 7 p.m. including Memorial Day and Labor Day.

With the Governor lifting the restrictions on June 2nd we have prepared and have filled up the splash pads as of last week and plan to be fully operational on June 2nd.

Hours at Greenwood Park are 11 a.m. – 8 p.m. Ray Mellert Park hours are 12 p.m. – 8 p.m. Monday through Sunday.

Jansen stated the staff has worked hard to make sure that those are available to be open. They have taken additional measures to use some CARES Act Funding to install touchless sensors, activators and make it as safe as possible over there.

Just released advertisements for their Party in the Parks Program sponsored collaboratively with the Cleveland Clinic doing an 8-week series at various parks utilizing recreation center staff from their summer camp to have free fun activities. Information can be found on Facebook page or on the Medina Community Recreation Center Website. Registration is required.

Cindy Latuska, Municipal Court, had no report.

Dan Gladish, Building Official, had no report.

Jonathan Mendel, Planning Community Director, had no report.

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Nino Piccoli, Service Director, had no report.

Patrick Patton, City Engineer, Reported the Airport detention basin project is out to bid and open bids Thursday, May 27th.

Confirmation of Mayor's appointment:

Civil Service Commission – James Monhollen – Term 7/1/2021 – 6/30/2027
Mr. Shields moved to confirm the Mayoral appointment, seconded by Mr. Simpson. Motion passed by the yea votes of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

Notices, communications and petitions:

There were none.

Unfinished Business:

There were none.

Introduction of Visitors:

(speakers limited to 5 minutes)

Introduction and Consideration of Ordinances and Resolutions:

Mr. Shields moved to suspend the rules requiring three readings on the following ordinances and resolutions, seconded by Mr. Simpson. Ord. 82-21, Ord. 83-21, Ord. 84-21, Ord. 85-21, Ord. 86-21, Res. 87-21, Ord. 88-21, Ord. 89-21. The roll was called and the motion passed with the yea votes of J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 082-21:

An Ordinance authorizing the Mayor to sign the Letter of Arrangement with the Auditor of State Keith Faber for the preparation of the annual audit for the City of Medina for the fiscal period ending December 31, 2020. Mr. Shields moved for the adoption of Ordinance/Resolution No. 082-21, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 082-21, seconded by Mr. Simpson. Mr. Dirham stated this is for the state auditors to conduct our audit for the 2020 fiscal year. The emergency clause is needed because they are already working on it. The roll was called on adding the emergency clause and was approved by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 082-21 passed by the yea votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and J. Hazeltine.

Ord. 083-21:

An Ordinance authorizing the Mayor to accept the Fee Proposal from GPD Group to modify the water line within ODOT's SR 18 Corridor Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 083-21, seconded by Mr. Simpson. Mr. Patton stated that late last year our city's water consultant completed a hydraulic analysis of our water system and one of their recommendations was that the city should consider abandoning some of our larger watermains on

the east side of our city as they are no longer necessary or pertinent to our system. Part of the RT 18 ODOT project was to replace some of these very lines and now ODOT is willing to allow us to modify their plans at their expense and that is what this cost is for. The roll was called and Ordinance/Resolution No. 083-21 passed by the yeas votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, and E. Heffinger.

Ord. 084-21:

An Ordinance authorizing the Mayor to accept two (2) Easements necessary for the North Broadway Bridge Replacement Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 084-21, seconded by Mr. Simpson. Mr. Patton stated that they will be completing a replacement culvert at North Broadway/Spring Grove this summer and some easements are needed to complete this project. The roll was called and Ordinance/Resolution No. 084-21 passed by the yeas votes of P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, and B. Lamb.

Ord. 085-21:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the North Broadway and Spring Grove Culvert Replacement Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 085-21, seconded by Mr. Simpson. Mr. Patton stated this is to be able to replace two culverts, the estimated project cost \$946,000.00 combined. \$477,979.00 is being supplied through our Publics Work Commission Grant. The roll was called and Ordinance/Resolution No. 085-21 passed by the yeas votes of J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

Ord. 086-21:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the 2021-2022 Equipment and Asphalt General Paving Services Program for the Service Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 086-21, seconded by Mr. Simpson. Mr. Piccoli stated this is their annual Asphalt Paving Program. The roll was called and Ordinance/Resolution No. 086-21 passed by the yeas votes of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

Res. 087-21:

A Resolution authorizing the application and acceptance of the Probation Community Corrections Act Grant (CCA) renewal for the period of July 1, 2021 to June 30, 2023 for the Medina Municipal Court. Mr. Shields moved for the adoption of Ordinance/Resolution No. 087-21, seconded by Mr. Simpson. Ms. Lastuka stated this is a renewal grant for two of their probation officers. The roll was called and Ordinance/Resolution No. 087-21 passed by the yeas votes of J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 088-21:

An Ordinance amending Section 31.02(B)(6) of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Intensive Supervision Probation employees for the Municipal Court. Mr. Shields moved for the adoption of Ordinance/Resolution No. 088-21, seconded by Mr. Simpson. Cindy stated this is for the same two probation officers to bring their increases to the

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same as all city employees. The roll was called and Ordinance/Resolution No. 088-21 passed by the yeas of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 089-21:

An Ordinance amending Ordinance No. 217-20, passed December 14, 2020. (Amendments to 2021 Budget). Mr. Shields moved for the adoption of Ordinance/Resolution No. 089-21, seconded by Mr. Simpson. Mr. Dirham stated this is an amendment for one of the court funds that are paid for out of court fees. The roll was called and Ordinance/Resolution No. 089-21 passed by the yeas of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Council Comments:

Mr. Simpson expressed his deepest sympathy to the Dirham family. Dennie thanked Jansen Wehrley and his staff for all their hard work getting the splash pads ready and the public pool. Be kind to one another and enjoy the great weather we are having.

Mrs. Hazeltine echoed Dennie in thanking Jansen Wehrley and staff and also offered condolences to the Dirham family.

Jessica spoke about COVID-19 vaccines, please remember just because someone is wearing a mask does not mean that they have chosen not to get the vaccine or that they are not vaccinated. There are lots of reasons why people still choose to wear masks. Just be kind, you don't know what the situation is when someone wears a mask or not. Jessica stated there has been an initiative where some people are not supporting businesses that have chosen to require a mask and again that is a private business and that is their choice. Jessica encourages everyone to continue to support supporting local businesses during this time regardless of the mask requirements.

Mr. Shields also offered his condolences to the Dirham family. Jim also thanked Mr. Wehrley for working so hard to get everything ready with the splashpads and pool. Mr. Shields spoke of the Career Center, Medina High School and Buckeye Graduation ceremonies and how it's a reminder that things are getting back to normal and probably no greater thing than to be proud of than our young people who are graduating.

Mr. Rose extended sympathies to the Dirham family. Paul stated next Monday is Memorial Day and is a time where we pause and reflect on the sacrifices that were given by our veterans, those that paid the ultimate sacrifice and it is that sacrifice that has allowed us to do what we do here today. Jansen good Job!

Mr. Lamb also offered his condolences to Keith and his family. Bill stated he worked with Richard Dirham for 8 years here at city hall.

Mr. Coyne also spoke of Jansen Wehrley and how well he is doing. John extended his sympathies to Keith and his family stating that Medina will miss him but he will not be forgotten.

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There being no further business, the meeting adjourned at 8:02 p.m.

Kathy Patton, CMC - Clerk of Council

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

| | | | | |
|---------------|-------------|-----------------|---------------------|--|
| 5469898 | | TRFO | MANAL PETROLEUM LLC | |
| PERMIT NUMBER | | TYPE | DBA MEDINA MARATHON | |
| 10 | 01 | 2018 | | |
| ISSUE DATE | | 429 S COURT ST | | |
| 05 | 24 | 2021 | | |
| FILING DATE | | MEDINA OH 44256 | | |
| C1 | C2 | PERMIT CLASSES | | |
| 52 | 077 | C | F25396 | |
| TAX DISTRICT | RECEIPT NO. | | | |

FROM 05/26/2021

| | | | | |
|---------------|-------------|-----------------|---------------------|--|
| 95669500010 | | | WJF INVESTMENT CORP | |
| PERMIT NUMBER | | TYPE | DBA MEDINA MARATHON | |
| 10 | 01 | 2018 | | |
| ISSUE DATE | | 429 S COURT ST | | |
| 05 | 24 | 2021 | | |
| FILING DATE | | MEDINA OH 44256 | | |
| C1 | C2 | PERMIT CLASSES | | |
| 52 | 077 | | | |
| TAX DISTRICT | RECEIPT NO. | | | |



MAILED 05/26/2021

RESPONSES MUST BE POSTMARKED NO LATER THAN. 06/28/2021

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 TRFO 5469898
(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

RESOLUTION NO. 90-21

**A RESOLUTION COMMENDING SANDY DAVIS FOR
HER DEDICATED YEARS OF SERVICE TO THE CITY
OF MEDINA.**

WHEREAS: *Sandy Davis* has been employed by the City of Medina since May of 2000; and

WHEREAS: *Sandy Davis* has faithfully and conscientiously served the city during that 21 year period.

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

SEC. 1: That Medina City Council hereby commends *Sandy Davis* for her years of dedicated service to the City, serving in the Service Department, Planning Department, Community Development Department; and as a grant writer for the City.

SEC. 2: That Medina City Council hereby extends its sincere thanks and appreciation to *Sandy Davis* for her commitment to the city and the community, and wishes her good health, success and prosperity in her retirement.

SEC. 3 That a signed copy of this Resolution shall be presented to *Sandy Davis* in recognition of her dedicated service.

SEC. 4: That this Resolution 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. 91-21

AN ORDINANCE AUTHORIZING THE JOB CREATION GRANT PAYMENT OF \$33,717.45 TO SANDRIDGE FOOD CORPORATION.

WHEREAS: Ordinance No. 154-07, passed September 24, 2007 adopted a Job Creation Grant Program for the City of Medina, Ohio to provide incentives to businesses to retain, create and expand employment opportunities within the City of Medina without utilizing tax revenues or impacting negatively upon the local school system; and

WHEREAS: Ordinance No. 194-14, passed November 24, 2014, adopted new guidelines effective December 24, 2014; and

WHEREAS: Ordinance No. 45-13, passed March 25, 2013, authorized the Job Creation Grant Agreement #JCG04 for Sandridge Food Corporation; and

WHEREAS: Ordinance No. 17-17, passed February 13, 2017, authorized the Job Creation Grant Agreement #JCG12 for Sandridge Food Corporation; and

WHEREAS: The Business Development Committee met to review the progress of these two grants and is recommending the payment of \$33,717.45 (\$22,500.00 for JCG04 & \$11,217.45 for JCG12).

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

SEC. 1: That the Job Creation Grant payment of \$33,717.45 to Sandridge Food Corporation is hereby authorized.

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

RESOLUTION NO. 92-21

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR GRANT ASSISTANCE FROM THE OHIO DEVELOPMENT SERVICES AGENCY, OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT, IN CONNECTION WITH THE SMALL CITIES PY21 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS: The City of Medina, Ohio intends to apply to the Ohio Department of Development Services Agency, Office of Housing and Community Development, for funding under the Small Cities Community Development Block Grant Program, a federally-funded program administered by the State of Ohio in the amount of \$150,000.00 from the Allocation Grant and \$300,000.00 from the Critical Infrastructure Grant for PY21.

NOW, THEREFORE, 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 Ohio Development Services Agency, Office of Housing and Community Development, for the Small Cities Community Development Block Grant Program for the fiscal year 2021 with the funds to be used as follows:

PY17 CDBG Allocation Grant

| | | |
|----------------|------------------|-----------------|
| Activity No. 1 | Code Enforcement | \$30,000 |
| Activity No. 2 | Public Service | \$40,500 |
| Activity No. 3 | Parks | \$70,000 |
| Activity No. 5 | Fair Housing | \$ 3,500 |
| Activity No. 6 | Administration | <u>\$ 6,000</u> |
| | | \$150,000 |

SEC. 2: That if the Grant is awarded to the City, the Mayor is authorized to accept the grant and enter into an agreement with the Ohio Department of Development Office of Housing and Community Partnerships for their implementation and administration.

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 to apply for said grant before the deadline of June 16, 2021; 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

ORDINANCE NO. 93-21

AN ORDINANCE ESTABLISHING A MEDINA MUNICIPAL COURT SPECIAL PROJECTS FUND – PRE-TRIAL DRUG TESTING (FUND #157).

WHEREAS: O.R.C. 1901.26(B)(1) allows for the establishing of a "Special Projects Fund" and the assessing of court costs to be deposited exclusively for this fund; and

WHEREAS: The Medina Municipal Court has requested the establishing of a "Medina Municipal Court Special Projects Fund – Pre-Trial Drug Testing Fund" into which all funds collected pursuant to the authority granted by Ohio Revised Code Section 1901.26(B)(1) and by order of the Court be deposited. That the funds may be used for the efficient operation of the court to acquire and pay for special projects of the court including, but not limited to, the acquisition of additional facilities or the rehabilitation of existing facilities, the acquisition of equipment, the hiring and training of staff, community service programs, mediation or dispute resolution services, the employment of magistrates, the training and education of judges, acting judges, and magistrates, and other related services.

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

SEC. 1: That the Finance Director is hereby authorized to establish a "Medina Municipal Court Special Projects Fund – Pre-Trial Drug Testing Fund" (Fund #157) in accordance with O.R.C. Section 5705.12.

SEC. 2: That the use of these funds shall be in accordance with O.R.C. 1901.26(B)(1).

SEC. 3: That the Clerk of Council is hereby authorized to forward a certified copy of this Ordinance to the Auditor of the State of Ohio.

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 93.21
Exh. A

IN THE MEDINA MUNICIPAL COURT
MEDINA COUNTY, OHIO

IN RE:

JUDGMENT ENTRY


SPECIAL PROJECTS FUND

(R.C. 1901.26(B)(1))

The Court hereby determines, pursuant to R.C. 1901.26(B)(1) and subject to further Court order, that, for the efficient operation of the current and future court, additional funds are necessary to assist Court Bailiff and Probation Department personnel in administering pre-trial drug testing of criminal defendants subject to recognizance and/or bail release conditions using, e.g., 10 Panel Oral Fluid Test Devices or similar devices.

To this end, the Court hereby orders the assessment of a fee, in addition to all other court costs, on the filing of each criminal case, civil action or proceeding, or judgment by confession, in the amount of five dollars (\$5.00), to take effect no later than 6/1/2021, to allow the Clerk of Court sufficient time to complete required programming changes and notice requirements. This fund shall hereinafter be referred to as the Special Projects Fund – Pre-trial Drug Testing.

SO ORDERED.



The Honorable Gary F. Werner
Judge of the Medina Municipal Court

4/29/21

Date

MEDINA MUNICIPAL COURT
FILED

2021 APR 29 AM 11:13

ORDINANCE NO. 94-21

AN ORDINANCE AUTHORIZING THE MAYOR TO SOLICIT REQUESTS FOR PROPOSALS (RFP'S) FOR MARKETING AND SOLICITATION SERVICES FOR THE MEDINA COMMUNITY 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 solicit Requests for Proposals (RFP's) for marketing and solicitation services for the Medina Community Recreation Center in accordance with specifications on file in the office of the Mayor.
- SEC. 2:** That a copy of the Request for Proposal 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: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORD. 94-21
Exh. A

Date: June 1st, 2021

Re: Request for Proposal
Medina Community Recreation Center

The City of Medina's Medina Community Recreation Center ("MCRC") invites qualified marketing firms, or individuals, to submit proposals to provide a range of marketing and solicitation services related to implementing a "Donation Recognition" program for the MCRC located at 855 Weymouth Rd, Medina, OH 44256.

The MCRC has available, within its building, a variety of areas that could be of promotional benefit to many businesses and other entities and seeks to find a qualified marketing firm, or individual, to connect with those businesses and solicit donations in exchange for the placement of recognition and appreciation materials at the MCRC. This can include "donations" for naming rights for select areas of the center, which can include signage and other approved items within each respective area for specified lengths of terms. The donations may be monetary or the donation of specific capital items the Recreation Center may request, such as scoreboards, sunshades, fountains, etc. The marketing firm, or individual, would work with the Recreation Advisory Committee (RAC), Medina City Schools, and the City of Medina to select prospective donors and specific recognition and promotional materials included in the available donor packages, and the content thereof. The content of any advertising or promotional material shall be subject to approval by the RAC, Medina City Schools, and the City of Medina

The MCRC is seeking a marketing firm, or individual, with documented experience in sponsorship, donation, charity, and/or fundraising programs.

The marketing firm, or individual, should propose a percentage based "performance only" fee schedule, with the marketing firm, or individual, assuming all up front and ongoing selling expenses including, but not limited to, networking, securing and servicing contacts with all potential donors, providing signage and other materials, etc.

Please submit proposals in writing to the following prior to 10a.m. July 30th, 2021:

Medina Community Recreation Center
Attn: Christy Moats
855 Weymouth Rd.
Medina, OH 44256.

Note: If you would like to tour the MCRC facility, you may contact the MCRC Superintendent, Christy Moats, @ 330-721-6919 to schedule a date/time.

Specific Areas for "Donation Recognition" opportunities:

- **Field House** — (basketball courts) 24,000 SQ FT. open area heavily used by participants and their families during basketball league season. This area is also used by Medina High School student physical education classes and general athletic programs.
- **Natatorium Pools** — Two separate pool areas
 - Competition Pool — 300k gallon pool with prominent score and statistic boards that could be a donation opportunity when replaced. The pool has contracts to host USA Swimming competitions, and is the home of Medina High School Swim Team, and Medina Recreation Swim Teams. This pool also provides diving, scuba and water fitness programs, and general MCRC membership lap swimming.
 - Leisure Pool — 115k gallon pool with slide and play feature heavily used for fitness classes, swim lessons for infants through adults, physical therapy via Medina Hospital/ Cleveland Clinic, and general MCRC membership leisure activities.
- **Fitness Room** — approx. 6,700 SQ FT, two level exercise facility with numerous cardio machines, dedicated free weight area, and selectorized weight machines. The Fitness Room is located in a highly visible area within view of the main entrance.
- **Indoor Walking /Running Track** — 10,000 SQ FT. Four lane, oval track with a continuous interior wall that could be utilized for donation recognition as well as rotating advertisement displays, etc.
- **Community Rooms B & C** — Meeting rooms can hold up to 100 patrons and host regularly scheduled, very well attended, senior lectures, rentals, and the MCRC Discovery Camp.
- **Front Lobby and Concourse** — Large, two-story open area connecting main entrance, pools, meeting rooms and the Field House.

These are just some of the ideas for donation recognition opportunities. The MCRC is open to other creative ideas, like printing approved donor messages on the reverse side of its membership ID cards that are currently blank on the back. The MCRC also has a website and Wi-Fi available for patron use.

Matters to consider:

1. The fee schedule in the proposal should be performance based, as there will be no funding from the MCRC for initial or ongoing expenses to attract donors, so those expenses should be factored into the proposed fee schedule.
2. Priority will be given to the dynamic and pre-existing relationship the City of Medina and Medina City Schools have with the Cleveland Clinic/Medina Hospital

which has recognition and appreciation signage and materials related to its donations to the MCRC. This relationship may conflict with donations solicited from other health care organizations. The Cleveland Clinic has reserved the right to object to any competing organization's participation in the MCRC Donation Recognition Program or the level of such participation.

3. The RAC, Medina City Schools, and the City of Medina, must approve all prospective donors, signage, or items included in the donor packages, including the specific content thereof.
4. The MCRC building's overall naming rights will not be considered at this time, nor will any exterior building signage or other features.
5. The MCRC will reserve the right to solicit for event sponsorships for specific special events, but may consider proposals for these events.

ORDINANCE NO. 95-21

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH AMERICAN STRUCTUREPOINT, INC. TO PROVIDE RIGHT-OF-WAY ACQUISITION SERVICES FOR THE WEST SMITH ROAD, PHASE 4 PROJECT.

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 Right-of-Way Fee Acquisition Agreement with American Structurepoint, Inc. for right-of-way acquisition services for the West Smith Road, Phase 4 Project.

SEC. 2: That the estimated cost of the contract, in the amount of \$67,530.00, is available in Account No. 108-0610-54411.

SEC. 3: That a copy of the contract is marked Exhibit A, attached hereto and incorporated herein.

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



AMERICAN
STRUCTUREPOINT
INC.

ORD. 95-21
Exh. A

600 SUPERIOR AVENUE EAST, SUITE 1305
CLEVELAND, OHIO 44114
TEL 216.302.3694

May 18, 2021

Mr. Pat Patton, PE
City Engineer
Medina City Hall
132 N. Elmwood Avenue
Medina, Ohio 44256

Subject: MED-West Smith Road Reconstruction, Phase IV, PID 112540
Amendment 1 – ORD 159-20
Right of Way Fee Acquisition

Dear Mr. Patton,

Pursuant to our recent discussions and as requested, below are the additional Right of Way Acquisition services to be provided by O.R. Colan Associates ("ORC"). These services would be provided as an amendment to the current agreement. The terms and conditions of the original agreement remain unchanged, as does the schedule.

Services:

ORC will provide the following services:

- Appraisal
- Title Search
- Negotiation
- Closings
- Recording
- Title Updates for Appropriation

ORC's detailed services are provided in the attached proposal dated May 6, 2021

Fee Schedule:

The services provided by OCR for Right of Way Administration will be an increase of \$67,530 to the agreement. The revised total compensation under this agreement will now be \$549,162. Below is the breakdown of the services to be provided:

Mr. Pat Patton
May 18, 2021
Page 2

| <u>Work Category</u> | <u>Cost</u> |
|---|-----------------|
| Appraisal | \$13,300 |
| Title Search | \$10,185 |
| Negotiation | \$31,050 |
| <u>Closing (includes Recording and Title Updates for Appropriation)</u> | <u>\$12,995</u> |
| Project Total | \$67,530 |

The schedule will not be impacted by the additional Right of Way Acquisition services.

Pat, thank you for the opportunity to provide these additional services for the City of Medina. If you have any questions or require additional information, please contact me at your earliest convenience at 216.296.4620 or ekagel@structurepoint.com. If this proposal is accepted, please sign below where indicated and return the executed letter to our office. We will consider receipt of the executed letter as our notice to proceed.

Sincerely,



Edward D. Kagel, PE
Regional Services Director



Michael W. Raubenolt, PE, LEED AP
Group Leader

Acceptance and Notice to Proceed:

City of Medina

Signature

Dennis Hanwell, Mayor

Print Name and Date

ORDINANCE NO. 96-21**AN ORDINANCE AMENDING SECTION 31.05 OF THE SALARIES AND BENEFITS CODE OF THE CITY OF MEDINA, OHIO RELATIVE TO PATROL OFFICERS IN THE POLICE DEPARTMENT.**

WHEREAS: Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio presently reads in part as follows:

POLICE DEPARTMENT

| <u>Number</u> | <u>Classification</u> | <u>Steps Authorized</u> |
|---------------|---|-------------------------|
| 1 | Police Chief | 43 A-F |
| 2 | Police Lieutenant | 20 A-F |
| 7 | Sergeant | per contract |
| 29 | Patrol Officer | per contract |
| 1 | Patrol Officer (part-time)**** | per contract |
| 10 | Communications Operator | per contract |
| 2 | Communication Operator (part-time)***** | Step A of contract |
| 1 | Administrative Assistant | 8 A-F |
| 1 | Administrative Assistant (part-time) | Sec. 31.02(B)(7) |
| 1 | Parking Meter Attendant (part-time)** | Sec. 31.02(B)(7) |
| 4 | Records Clerk (part-time) | Sec. 31.02(B)(7) |
| 2 | Stationary Load Limit Inspector* | Sec. 31.02(B)(7) |

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

SEC. 1: That Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio shall be amended to read in part as follows:

POLICE DEPARTMENT

| <u>Number</u> | <u>Classification</u> | <u>Steps Authorized</u> |
|---------------|---|-------------------------|
| 1 | Police Chief | 43 A-F |
| 2 | Police Lieutenant | 20 A-F |
| 7 | Sergeant | per contract |
| 29 32 | Patrol Officer | per contract |
| 1 | Patrol Officer (part-time)**** | per contract |
| 10 | Communications Operator | per contract |
| 2 | Communication Operator (part-time)***** | Step A of contract |
| 1 | Administrative Assistant | 8 A-F |
| 1 | Administrative Assistant (part-time) | Sec. 31.02(B)(7) |
| 1 | Parking Meter Attendant (part-time)** | Sec. 31.02(B)(7) |

4 Records Clerk (part-time) Sec. 31.02(B)(7)
2 Stationary Load Limit Inspector* Sec. 31.02(B)(7)

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. 97-21

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MUNICIPAL COURT CONCEPTUAL DESIGN AGREEMENT WITH BRANDSTETTER CARROLL, INC.

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

- SEC. 1:** That the Mayor is hereby authorized and directed to execute an Agreement with Brandstetter Carroll, Inc. for the Medina Municipal Court Conceptual Design.
- SEC. 2:** That the funds to cover the agreement in the estimated amount not to exceed \$15,000.00 are available as follows: \$7,500 in Account No. 169-0705-54412 and \$7,500 in Account No. 301-0707-54412.
- SEC. 3:** That a copy of the Agreement is marked Exhibit A, attached hereto and incorporated herein.
- 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: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

Agreement
Medina Municipal Court Conceptual Design
Medina, Ohio

ORD. 97-21
Exh. A

This Agreement, made on _____ (date) between the City of Medina, Ohio, (Owner), and Brandstetter Carroll, Inc. (Consultant), whereby the Consultant proposes to provide Conceptual Design Services with respect to the Medina Municipal Court at 93 Public Square, Medina, Ohio. The Consultant proposes to provide the following services:

I. Scope of Services

Evaluation & Programming \$5,800.00

- Compile drawings of the existing 1969 Courthouse building.
- Meet with staff/judges/stakeholders to discuss goals/objectives.
- Refine the proposed building space program from the former combined facility to the 1969 building.
- Conduct review meetings as required.

Concept Design \$7,200.00

- Prepare floor plan alternatives for the Municipal Court and Law Library functions in the 1969 building.
- Prepare an opinion of probable construction cost.
- Conduct review meetings as required.
- Finalize the preferred Concept Plan.
- Present to City Council as needed.

Total Fee: \$13,000.00

II. Fees, Conditions and Deliverables

- A. The Consultant will receive a fee of thirteen thousand dollars (\$13,000). Billing and payment will be monthly as the work progresses. The fee includes printing, travel and miscellaneous out-of-pocket expenses.
- B. It is anticipated that the scope of work will be completed in two (2) months.

This Agreement is PROPOSED by:

This Agreement is ACCEPTED by:

Brandstetter Carroll Inc.

City of Medina, Ohio



Name: Benjamin Brandstetter

Name:

Title

Title

Date

Date

BRANDSTETTER CARROLL INC.
STANDARD PROVISIONS

(1) **Consultant's Scope of Services and Additional Services.** The Consultant's undertaking to perform professional services extends only to the services specifically described in this Agreement. However, if requested by the Client and agreed to by the Consultant, the Consultant will perform additional services ("Additional Services"), and such Additional Services shall be governed by these provisions. Unless otherwise agreed to in writing, the Client shall pay the Consultant for the performance of any Additional Services an amount based upon the Consultant's then-current hourly rates.

(2) **Client's Responsibilities** - In addition to other responsibilities described herein or imposed by law, the Client shall:

(a) Designate in writing a person to act as its representative with respect to this Agreement, such person having complete authority to transmit instructions, receive information, and make or interpret the Client's decisions.

(b) Provide to the Consultant all previous studies, plans, or other documents pertaining to the project and all new data reasonably necessary in the Consultant's opinion, such as site surveys and engineering data, environmental impact assessments or statements, zoning or other land use regulations, etc., upon all of which the Consultant may rely.

(c) Arrange for access to the park sites and other public property as required for the Consultant to provide its services.

(d) Review all documents or reports presented by the Consultant and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of the Consultant.

(e) Give prompt written notice to the Consultant whenever the Client becomes aware of any development that affects the scope and timing of the Consultant's services or any defect or noncompliance in any aspect of the project.

(3) **Period of Services** – Unless otherwise stated herein, the Consultant will begin work timely after receipt of an executed copy of this Agreement and will complete the services in a reasonable time. This Agreement is made in anticipation of conditions permitting continuous and orderly progress through completion of the services. Times for performance shall be extended as necessary for delays or suspensions due to circumstances that the Consultant does not control.

(4) **Method of Payment** - Compensation shall be paid to the Consultant in accordance with the following provisions:

(a) Invoices will be submitted by the Consultant to the Client periodically for services performed and expenses incurred. Payment of each invoice will be due within 30 days of receipt.

(5) **Termination** - The obligation to provide further services under this Agreement may be terminated by either party upon seven days' written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party, or upon thirty days' written notice for the convenience of the terminating party. In the event of any termination, the Consultant shall be paid for all services rendered and expenses incurred to the effective date of termination, and other reasonable expenses incurred by the Consultant as a result of such termination. If the Consultant's compensation is a fixed fee, the amount payable for services will be a proportional amount of the total fee based on the ratio of the amount of the services performed, as reasonably determined by the Consultant, to the total amount of services which were to have been performed.

(6) **Insurance** - The Consultant is protected by Workers' Compensation insurance, professional liability insurance, and general liability insurance and will exchange certificates of insurance upon request. If the Client directs the Consultant to obtain increased insurance coverage, or if the nature of the Consultant's activities requires additional insurance coverage, the Consultant will take out such additional insurance, if obtainable, at the Client's expense.

(7) **Standard of Care** In performing its professional services, the Consultant will use that degree of care and skill ordinarily exercised, under similar circumstances, by reputable members of its profession in the same locality at the time the services are provided. No warranty, express or implied, is made or intended by the Consultant's undertaking herein or its performance of services, and it is agreed that the Consultant is not a fiduciary with respect to the Client.

(8) **Dispute Resolution** - All claims by the Client arising out of this Agreement or its breach shall be submitted first to mediation in accordance with the Construction Industry Mediation Rules of the American Arbitration Association as a condition precedent to litigation. Any mediation or civil action by Client must be commenced within two years of the accrual of the cause of action asserted but in no event later than allowed by applicable statutes.

(9) **Assignment and Subcontracting** This Agreement gives no rights or benefits to anyone other than the Client and the Consultant, and all duties and responsibilities undertaken pursuant to this Agreement will be for the sole benefit of the Client and the Consultant. The Client shall not assign or transfer any rights under or interest in this Agreement without the written consent of the Consultant. The Consultant will utilize the services MySidewalk (formerly MindMixer) for the online civic engagement as presented in the Consultant's Qualifications Submittal to the Client. No other sub-consultants will be utilized without the written consent of the Client.

(10) **Miscellaneous Provisions** This Agreement is to be governed by the law of the State of Ohio. This Agreement contains the entire and fully integrated agreement between the parties and supersedes all prior and contemporaneous negotiations, representations, agreements or understandings, whether written or oral. Except as provided in Section 1, this Agreement can be supplemented or amended only by a written document executed by both parties. Provided, however, that any conflicting or additional terms on any purchase order issued by the Client shall be void and are hereby expressly rejected by the Consultant. Any provision in this Agreement that is unenforceable shall be ineffective to the extent of such unenforceability without invalidating the remaining provisions. The non-enforcement of any provision by either party shall not constitute a waiver of that provision nor shall it affect the enforceability of that provision or of the remainder of this Agreement.

ORDINANCE NO. 98-21

AN ORDINANCE AMENDING SECTION 31.05 OF THE SALARIES AND BENEFITS CODE OF THE CITY OF MEDINA, OHIO RELATIVE TO THE PARKS AND RECREATION DEPARTMENT, TREE CARE TECHNICIAN PAYGRADE.

WHEREAS: Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio presently reads in part as follows pertaining to the Parks and Recreation Department:

PARKS AND RECREATION DEPARTMENT

| <u>Number</u> | <u>Classification</u> | <u>Steps Authorized</u> |
|---------------|---|-------------------------------|
| 1 | Parks Director/Superintendent of Parks, Cemetery & Forestry | Pay Grade 112 |
| 1 | Parks Foreman | 37 A-F |
| 1 | Parks Maintenance Technician | 32 A-F per contract |
| 1 | City Arborist | 9 A-F |
| 1 | Laborer | 31 A-F per contract |
| 1 | Sexton | 32 A-F per contract |
| 1 | Clerical Help | Sec. 31.02(B)(1) |
| 1 | Full-time Tree Care Technician | 31 A-F per contract |
| 1 | Cemetery Laborer | Sec. 31.02(B)(1) per contract |
| 1 | Turf Technician | per contract + 7% |
| | Part-time and Seasonal Employees | Sec. 31.02(A)(1)&(B)(1) |

(Ord. 273-05, 7-06, 76-08, 81-09, 134-11, 27-13, 173-13, 32-14, 98-17, 48-18, 56-20)

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

SEC. 1: That Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio shall be amended to read in part as follows, pertaining to the Parks and Recreation Department -- Tree Care Technician:

PARKS AND RECREATION DEPARTMENT

| <u>Number</u> | <u>Classification</u> | <u>Steps Authorized</u> |
|---------------|---|-------------------------|
| 1 | Parks Director/Superintendent of Parks, Cemetery & Forestry | Pay Grade 112 |
| 1 | Parks Foreman | 37 A-F |
| 1 | Parks Maintenance Technician | 32 A-F per contract |
| 1 | City Arborist | 9 A-F |
| 1 | Laborer | 31 A-F per contract |
| 1 | Sexton | 32 A-F per contract |

| | | |
|---|---------------------------------------|--|
| 1 | Clerical Help | Sec. 31.02(B)(1) |
| 1 | Full-time Tree Care Technician | 31 A-F 34 A-F per contract |
| 1 | Cemetery Laborer | Sec. 31.02(B)(1) per contract |
| 1 | Turf Technician | per contract + 7% |
| | Part-time and Seasonal Employees | Sec. 31.02(A)(1)&(B)(1) |

(Ord. 273-05, 7-06, 76-08, 81-09, 134-11, 27-13, 173-13, 32-14, 98-17, 48-18, 56-20, **98-21**)

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. 99-21

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MEDINA, OHIO, 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, AND DECLARING AN EMERGENCY.

WHEREAS: Certain certifications are necessary for the continued operations of Municipal Services; and

WHEREAS: This Ordinance will provide for the efficient and lawful certifications to provide Municipal Services as required by Ohio Revised Code Section 5705.41(D); and

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

SEC. 1: 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. 2: That the Finance Director is authorized to draw warrants for the payment of Invoice totaling \$4,582.50 to CT Consultants for Zoning Consultation Services.

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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason because of the immediate need for the authorization of expenditures, 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

ORDINANCE NO. 100-21

**AN ORDINANCE AMENDING ORDINANCE NO. 217-20,
PASSED DECEMBER 14, 2020. (Amendments to 2021 Budget)**

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

SEC. 1: That Ordinance No. 217-20, passed December 14, 2020, shall be amended by the following additions:

| <u>Account No./Line Item</u> | <u>Additions</u> |
|---|------------------|
| 102-0610-54411 (Pavement Marking Program) | 50,000.00 * |
| 141-0310-53315 (Howard C. Ward Estate Donation) | 75,000.00 * |
| 169-0705-54412 (Courthouse Design) | 7,500.00 * |
| 301-0707-54412 (Courthouse Design) | 7,500.00 * |
| 001-0704-52225 (Law Dept.) | 100,000.00 * |
| 301-0210-52213 | 9,783.74 * |
| 301-0725-54412 | 129,857.00 * |
| 418-0718-54411 | 8,484.00 * |

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.

* - new appropriation

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor