

**CITY OF MEDINA
AGENDA FOR COUNCIL MEETING**

March 9, 2020
Medina City Hall
7:30 p.m.

Call to Order.

Roll Call.

Reading of minutes. (February 24, 2020)

Reports of standing committees.

Requests for council action.

Reports of municipal officers.

Unfinished business.

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

Introduction and consideration of ordinances and resolutions.

Ord. 44-20

An Ordinance authorizing the expenditure of \$10,000.00 to the Medina County Society for the Prevention of Cruelty to Animals (SPCA) for animal related services for the year 2020.

Ord. 45-20

An Ordinance to amend the codified ordinances of the City of Medina, Ohio Section 943.06 (I) pertaining to Markers, Monuments, Foundations, and Niche Coverings at the Spring Grove Cemetery.

Ord. 46-20

An Ordinance authorizing the purchase of one (1) 2020 Ford F250 Truck equipped with a Reading Classic II Service Body from Montrose Ford for the Parks Department.

Res. 47-20

A Resolution authorizing the Mayor to submit a grant application with the Ohio Environmental Protection Agency (OEPA) for the purpose of purchasing a new front load Packer Truck to be used in the collection of recyclable materials.

Ord. 48-20

An Ordinance authorizing the Mayor to enter into a Contract with Gatchell Grant Resources to work on the City's behalf to apply for an Assistance to Firefighters Grant (AFG) for the replacement of air tanks for the Fire Department.

Ord. 49-20

An Ordinance amending Ordinance No. 98-19, passed June 24, 2019, relative to the Agreement with the Board of Commissioners of Medina County, Ohio to share costs of Professional Design, Planning and Construction Management Services for the Joint Construction and Management of a County-City Courthouse.

Ord. 50-20

An Ordinance amending Ordinance No. 187-19, passed November 25, 2019. (Amendments to 2020 Budget)

Council comments.

Adjournment.

Opening:

Medina City Council met in regular, open session on Monday, February 24, 2020. The meeting was called to order at 7:30 p.m. by President of Council John Coyne who led in the Pledge of Allegiance.

Roll Call:

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

Also present were the following members of the Administration: Mayor Dennis Hanwell, Keith Dirham, Greg Huber, Patrick Patton, Nino Piccoli, Lt. Birckbichler, Chief Painter, Kimberly Marshall, Dan Gladish, Janson Wehrley, Jonathan Mendel, Kathy Patton and Sgt. Darrin Zaremba.

Minutes:

Mr. Shields moved that the minutes from the regular meeting on February 10, 2020 as prepared and submitted by the Clerk be approved. The roll was called and the motion passed by the yeas of P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, and B. Lamb.

Reports of Standing Committees:

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

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

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb stated he is trying to schedule a meeting for discussion on three pending items, one being feeding of wild animals, another is cruelty to companion animals and the building demolition proposal. He stated he will submit a request to remove from pending matters the medical marijuana issue, there currently is no change that we can make that would be workable.

Streets & Sidewalks Committee: Mr. Heffinger stated he had a meeting prior to Finance today discussing update on road projects that will be happening in 2020, the sidewalk repair program starting in the spring, and voted on a proposal to put street lights on Reagan Parkway and discussed specifically using LED lights to lower the costs.

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

Emerging Technologies Committee: Mr. Rose had no report.

Requests for Council Action:

20-040-2/24 – 2020 SPCA Contribution Request

20-041-2/24 – Amend Codified Ord. 943.06(l) – Cemetery

20-042-2/24 – Purchase 2020 Ford F250 Truck – Parks

20-043-2/24 – Recommendation to Rezone 1088 S. Court from R-3 to C-S

20-044-2/24 – Budget Amendment – Municipal Court

20-045-2/24 – Grant Application Request – Drop Off Recycling Project

20-046-2/24 – Grant Application Request – Assistance to Firefighter Grant (AFG)

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported

- 1) Parking Deck - Construction of the parking deck south of Medina City hall ceased for winter.
- 2) Medina Bicentennial Books on Sale - \$10 for soft cover; \$20 for hard cover: Miss Molly's and Medina County Convention & Visitors Bureau has hard and soft covers; soft covers only at City Hall (Barb Dzur) and Fire House Museum when open.
- 3) Annual Black History Month Celebration was held at Second Baptist Church on Thursday, 2/20/2020 at 7 p.m. The event recognized local, black veterans. The program was put on by AAUW, Second Baptist & Fellowship Baptist. The event was attended by Council At Large Paul Rose, Ward 4 Councilman Jim Shields, and myself. Students from Claggett Middle School sang two songs as well.
- 4) Ralph E. Waite Celebration of Life at Waite Elementary Saturday, February 22, with Council members Shields & Simpson, along with Finance Director Mr. Dirham. Appreciate the PD, Fire and LST with assisting with procession.
- 5) 26th Annual Ice Festival- February 14-21- by Elegant Ice Creations went great. Very well attended.
- 6) Friday, March 6th, 5 p.m. to 8:30 p.m. - Main Street Medina presents First Friday event on the Square.
- 7) Thursday, March 12th, 4 p.m. to 8:30 p.m. - Main Street Medina presents Ladies Night Out on the Square at local businesses.

Keith Dirham, Finance Director, stated he is happy to be back, unfortunately he missed the last meeting due to having the flu. Keith reminded residents that the City of Medina does have an income tax and returns are mandatory and must be filed by April 15th. There will be two opportunities coming up where representatives from RITA will be in town at the Rec Center on Saturday, March 14th and Saturday April 4th from 9 a.m. to 5 p.m. to help with the forms.

Greg Huber, Law Director, had no report.

Lt. Birckbichler, Police Department, had no report.

Kimberly Marshall, Economic Development Director, stated the City of Medina Marketing Newsletter has been redesigned and we now have 1,601 people receiving the newsletter which goes out weekly on Friday morning. If you are interested in receiving the newsletter, we just need your email address and we will add them into the system.

Kimberly spoke of the display case and focusing last year on highlighting Made in Medina County our manufacturing companies and this year we will highlight local shop retailers.

Jonathan Mendel, Planning Community Director, had no report.

Medina City Council
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Chief Painter, Fire Department, had no report.

Mike Wright, Rec. Center Director, was not present.

Jansen Wehrley, Parks and Recreation Director, reported the Parks Department is in the middle of a project at Huffman Cunningham Park replacing the parameter fencing around the parks so we have closed the gates to that park to all vehicles from now through Monday, March 2nd.

We do have several seasonal positions advertised on the city website under the Civil Service Department page. Applications can also be picked up or dropped off either at the Civil Service office here at City Hall or at the Parks Department office at 785 East Washington St. (Spring Grove Cemetery) Monday through Friday 7 a.m. – 3:30 p.m.

Dan Gladish, Building Official, had no report.

Patrick Patton, City Engineer, stated they announced that the South Broadway Reconstruction Project had been awarded, they spoke with their contractor and plan on starting within the next three weeks. Patrick will be conducting a public open house to view the plan and ask questions and will notify residents of that date by mail.

Nino Piccoli, Service Director, had no report.

Unfinished Business:

There was none.

Introduction of Visitors:

David Mansbery, 8509 Chippewa Trail, Brecksville OH. Owner and President of Nature's Own Source LLC who manufacture AquaSalina which is a liquid deicer. David spoke of the questions that were raised at the last council meeting regarding the product itself, radioactivity in the product, and the dangers or safety to the public. David spoke of how this product is a natural seawater with oil and gas production, it is filtered and processed. The product has been tested extensively by multiple universities, The Ohio Department of Health, Bureau of Radioactives, The Ohio Department of Natural Resources, ODOT, and they have all concluded that the product is safe for use. There are unfortunately activists that disagree with this. Cuyahoga County Courts have ruled in their favor after having to file a defamation suit against them. David brought all the analysis and test results with him and stated he would like to meet with the responsible people to have further discussions on this.

Kathie Jones resides in Sharon Township, stated that even negligible radiation is not safe for us. This is not fracking waste, its radioactive oil and gas production waste, that's what AquaSalina is. Kathie spoke further of the toxic ingredients in AquaSalina, she passed out information from a Dr. Stolls.

Tish O'Dell resides in Broadview Hts., spoke on behalf of the environmentalists. You are not required to purchase this product, you have options so choose wisely.

Bill Tills resides in Chippewa Lake as is a past trustee in the township. One of his concerns where he lives is the runoff and flooding by Chippewa Lake, just make sure before you put this on the roads before you cause another problem for us. Environmentally think about it.

Mary resides at 5065 Fox Haven Dr. in Brunswick Hills. She questioned if everyone has read the Rolling Stone article that came out in February. Mary spoke of some key notes in the article. She stated workers in that industry that are not being protected.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 033-20:

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. Mr. Shields moved for the adoption of Ordinance/Resolution No. 033-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 033-20, seconded by Mr. Simpson. Mr. Dirham stated this is their liability insurance carrier and this is annual. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 033-20 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

Ord. 034-20:

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. Mr. Shields moved for the adoption of Ordinance/Resolution No. 034-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 034-20, seconded by Mr. Simpson. Mr. Dirham stated this is a purchase made by the Service Department in 2019, there was a purchase order but at the end of the year due to a miscommunication the P.O. was closed. 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. 034-20 passed by the yea votes of J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 035-20:

An Ordinance authorizing the payment to Software Solutions Inc. (SSI) for annual support services for the City's eGov Professional Accounting System. Mr. Shields moved for the adoption of Ordinance/Resolution No. 035-20, seconded by Mr. Simpson. Mr. Dirham stated this handles their Accounting and also Utility Billing and then there are a couple of other departments here that have access to it. The roll was called and Ordinance/Resolution No. 035-20 passed by the yea votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and J. Hazeltine.

Ord. 036-20:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the 2020 Pavement Marking Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 036-20, seconded by Mr. Simpson. Mr. Patton stated this is their second annual project to remark city streets using outside contractors. The roll was called and Ordinance/Resolution No. 036-20 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, and E. Heffinger.

Ord. 037-20:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for Project #1063 – Medina Municipal Airport: Remark Airfield. Mr. Shields moved for the adoption of Ordinance/Resolution No. 037-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 037-20, seconded by Mr. Simpson. Mr. Patton stated he needs the emergency clause as he was given late notice that they have to award the contract by March 23rd and need to start bidding prior to the 30 day window. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson. The roll was called and Ordinance/Resolution No. 037-20 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, and B. Lamb.

Ord. 038-20:

An Ordinance authorizing the Mayor to execute Consent Legislation with the Ohio Department of Transportation (ODOT) to complete a bridge replacement on SR 3 (Weymouth Road) Mr. Shields moved for the adoption of Ordinance/Resolution No. 038-20, seconded by Mr. Simpson. Mr. Patton stated ODOT will be doing the replacement of the bridge on Weymouth road just north of Friendship. There is no cost to the city for this project. The roll was called and Ordinance/Resolution No. 038-20 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

Ord. 039-20:

An Ordinance authorizing the purchase of 29 Dell Computers, 10 laptops computers and licenses from MNJ Technologies for various departments at the City of Medina. Mr. Shields moved for the adoption of Ordinance/Resolution No. 039-20, seconded by Mr. Simpson. Darrin stated this is the end of Windows 7 as of January 2020. These purchases are upgrades to Windows 10 that are also replacing old hardware. The roll was called and Ordinance/Resolution No. 039-20 passed by the yea votes of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

Ord. 040-20:

An Ordinance authorizing the purchase of a set of six (6) mobile column lifts for the Vehicle Maintenance Department from Mohawk Resources Ltd. Mr. Shields moved for the adoption of Ordinance/Resolution No. 040-20, seconded by Mr. Simpson. Mr. Piccoli stated this is for vehicle maintenance and will improve on efficiency and safety at the city garage, being mobile they can be used anywhere. The roll was called and Ordinance/Resolution No. 040-20 passed by the yea votes of J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 041-20:

An Ordinance authorizing the Mayor to enter into an agreement with Fair Dermody Consulting Engineers for engineering, design services and construction plans for the West Smith Road Railroad Bridge Repairs Projects. Mr. Shields moved for the adoption of Ordinance/Resolution No. 041-20 with the approval of the Law Director, seconded by Mr. Simpson. Mr. Huber, the Law Director, asked if council could move to approve this subject to his approval in reviewing this contract this afternoon there are a couple of sections he would like to change prior to the Mayor signing it. Mr. Patton stated this is for the consultant that does inspect our railroad bridges annually. This is a project that would repair the West Smith Road Bridge and we hope to do this prior to the West Smith Road Reconstruction Project. The roll was called and Ordinance/Resolution No. 041-20 passed by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 042-20:

An Ordinance ratifying the Agreement between the City of Medina and the International Brotherhood of Teamsters, Local 436. Mr. Shields moved for the adoption of Ordinance/Resolution No. 042-20, seconded by Mr. Simpson. Mayor Hanwell stated that this is a three year agreement between the City and the Teamsters with wages of 2.5% retroactive to January 1st, 2.5% in 2021 and 2.75% in 2022. The persons participating in the Wellness Program for the City of Medina will pay 13% of the healthcare costs, as those not taking part in the Wellness Program will go from 16% to 20%. They also built in a possibility of increasing from the 13% to 14% in either of the next two years if the increase in healthcare cost to the city increases by 1% or higher. There was a change in the uniform allowance. Mr. Coyne thanked on behalf of the council, the administration and Mr. Piccoli for their efforts in negotiating the contract for the next three years, it is very helpful to keep it within our budget and to make sure we are viable for the next 5 years. The roll was called and Ordinance/Resolution No. 042-20 passed by the yea votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and J. Hazeltine.

Ord. 043-20:

An Ordinance amending Ordinance No. 187-19, passed November 25, 2019. (Amendments to the 2020 Budget) Mr. Shields moved for the adoption of Ordinance/Resolution No. 043-20, seconded by Mr. Simpson. Mr. Dirham stated this is for the courts portion of the city's portion of the Construction Manager at Risk. The roll was called and Ordinance/Resolution No. 043-20 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, and E. Heffinger.

Council Comments:

Mr. Simpson stated he had the opportunity to attend the Ice Festival, he thanked Main Street and all their board members and volunteers. The weather played a great role in turnout. Thank you to the Parks Department and city workers for keeping the city clean. Dennie reminded all that it is time for early voting for the primary please do your civic duty and get out and vote.

We lost a 93 year old gentleman that was a big part of his life and for so many people in the city of Medina. Be kind to one another!

Mrs. Hazeltine stated people have asked how she likes council and how are things going. She said that her biggest challenge is that being new with a lot of experienced people on council and when they refer to things that happened 10 years ago she has to humble herself and ask for more information and every single member of council has been so gracious in explaining things to her and keeping her up to date and she thanks them.

To all of the directors - she has had residents contact her within a day she has the issue resolved, they take the time to make a phone call to the resident and get things right.

Next meeting is the last time that you will see hair on her head – She is raising money for St. Baldrick’s Childhood Cancer Association. This will be her 4th year participating in shaving her head. You can contribute to the cause by visiting St. Baldrick’s - search Medina County Career Center, our local career center Cosmetology students are the ones that do the shaving. She is thankful for receiving over the weekend an anonymous donation of \$1,000.00.

Mr. Rose offered his condolences to the Waite Family. Paul spoke of a fond memory he had with Mr. Waite.

Mr. Lamb spoke of the Ice Festival and the Engine House Museum where he purchased a Bicentennial hard cover book for \$20, it is a beautiful snapshot of who we are right now.

He stated he attended a Girl Scout event at the Medina High School celebrating International Friendship Day and there were about 300 Girl Scouts in attendance. Each troop in Medina County had a table that depicted one detail one country in the world and they were dressed as such.

Adjournment:

There being no further business before Council, the meeting adjourned at 8:27 p.m.

Kathy Patton, CMC - Clerk of Council

John M. Coyne, President of Council

ORDINANCE NO. 44-20

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF \$10,000.00 TO THE MEDINA COUNTY SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (SPCA) FOR ANIMAL RELATED SERVICES FOR THE YEAR 2020.

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

SEC. 1: That the expenditure of \$10,000.00 to the Medina County Society for the Prevention of Cruelty to Animals (SPCA) is hereby authorized for animal related services.

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 payment are available in Account No. 001-0707-52215.

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

ORDINANCE NO. 45-20

AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO SECTION 943.06(I) PERTAINING TO MARKERS, MONUMENTS, FOUNDATIONS, AND NICHE COVERINGS AT THE SPRING GROVE CEMETERY.

WHEREAS: The Cemetery department respectfully requests Council to amend Ordinance 943.06(I), Markers, Monuments Foundations, and Nice Coverings due to several requests over the last several years to install monuments that are over 5’ in height which poses a problem for safety and uniformity within the new sections of the cemetery; and

WHEREAS: The Cemetery Commission reviewed this requested change on February 4, 2020 and voted unanimously in favor of the change; and

WHEREAS: That Section 943.06 (I) of the codified ordinances of the City of Medina, Ohio presently reads as follows:

(I) The following base dimensions shall not be exceeded for monument bases and markers. The minimum monument width of a base shall not be less than six (6) inches, or wider than fourteen (14) inches.

| Number of Grave Spaces | Width of Grave Space | Length of Marker |
|-------------------------------|-----------------------------|-----------------------------|
| One (1) | 36 inches | 32 inches |
| One (1) | 48 inches | 34 inches |
| Two (2) | 48 inches | 60 inches |
| Two (2) | 36 inches | 48 inches |
| Baby Section | 24 inches | 18 inches |
| Cremains Section | 36 inches | 24 inches by 12 inches wide |

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

SEC. 1: That Section 943.06 (I) of the codified ordinances of the City of Medina, Ohio shall be amended to read as follows:

(I) The following ~~base~~ dimensions shall not be exceeded for monument bases and ~~markers~~ **tablets in all Sections.** The minimum monument width of a base shall not be less than six (6) inches, or wider than fourteen (14) inches. ~~The maximum height of the base shall not exceed (10) inches. The maximum tablet height shall not exceed (48) inches.~~

| Number of Grave Spaces | Width of Grave Space | Length of Marker | Height of Tablet |
|------------------------|----------------------|-----------------------------|------------------|
| One (1) | 36 inches | 32 inches | 48 inches |
| One (1) | 48 inches | 34 inches | 48 inches |
| Two (2) | 48 inches | 60 inches | 48 inches |
| Two (2) | 36 inches | 48 inches | 48 inches |
| Baby Section | 24 inches | 18 inches | N/A |
| Cremains Section | 36 inches | 24 inches by 12 inches wide | N/A |

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

Effective date:

ORDINANCE NO. 46-20

AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE (1) 2020 FORD F250 TRUCK EQUIPPED WITH A READING CLASSIC II SERVICE BODY FROM MONTROSE FORD FOR THE PARKS DEPARTMENT.

WHEREAS: In accordance with ORC 125.04 the City of Medina, Ohio requested authority to participate in State contracts which the Department of Administrative Services has entered into for the purchase of supplies, services, equipment and certain materials; and

WHEREAS: The request for participation provides for the waiving of the state and local competitive bidding requirements and allows the City the ability to purchase from centralized state contracts.

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

SEC. 1: That the Parks Department is hereby authorized to purchase one (1) 2020 F250 Truck equipped with a Reading Classic II Body Montrose Ford through the State of Ohio Community University Education (CUE) Purchasing Association.

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 purchase, in the amount of \$40,130.08, are available in Account No. 104-0301-54417.

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: February 24, 2020

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: February 25, 2020

SIGNED: Dennis Hanwell
Mayor

Effective date

RESOLUTION NO. 47-20

A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT A GRANT APPLICATION WITH THE OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA) FOR THE PURPOSE OF PURCHASING A NEW FRONT LOAD PACKER TRUCK TO BE USED IN THE COLLECTION OF RECYCLABLE MATERIALS.

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

SEC. 1: That the Mayor is hereby authorized and directed to submit a grant application with the Ohio Environmental Protection Agency (OEPA) for the purpose of funding \$100,000 toward purchasing a new front load Packer Truck to be used in the collection of recyclable materials.

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: If the Grant is successful, the City will be responsible for \$186,000.00 toward the purchase of this vehicle, and the funds will be available in Account No. 514-0543-54417.

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 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. 48-20

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH GATCHELL GRANT RESOURCES TO WORK ON THE CITY'S BEHALF TO APPLY FOR AN ASSISTANCE TO FIREFIGHTERS GRANT (AFG) FOR THE REPLACEMENT OF AIR TANKS FOR THE FIRE DEPARTMENT.

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

SEC. 1: That the Mayor is hereby authorized to enter into a Contract with Gatchell Grant Resources (to write and administer the grant) for an Assistance to Firefighters Grant (AFG) for the replacement of air tanks for the Medina Fire Department.

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

SEC. 3: 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. 4: That if the Grant is awarded to the City, the City's estimated share would be \$49,000.00, and is available in Account No. 107-0110-54413.

SEC. 5: 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. 6: 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. 48-20
Exh. A

CONTRACT FOR SERVICES

Medina City Fire Department
300 W. Reagan Parkway
Medina, Ohio 44256
&
Gatchell Grant Resources, LLC
Vera V. Gatchell/Didi Everhart
5202 14th Street SW
Canton, Ohio 44710

This document represents a contractual agreement effective December 2, 2019, between Gatchell Grant Resources, LLC (hereinafter referred to as "GGR") and Medina City Fire Department (hereinafter referred to as "Fire Department").

Section I **Responsibilities**

Grant Advisors

Under this agreement, GGR agrees to develop a specific grant: [2019 AFG Operations and Safety Equipment Grant].

- *In conjunction with the Fire Chief or designee, GGR will develop a proposal according to the Fire Department wishes.*
- *Submit the specified grant proposal on time unless otherwise directed to by the Fire Department. Grant shall not be submitted unless approval has been given by the Fire Chief or designee in writing.*

Fire Department

The Fire Department agrees:

- *Not to share any information or procedures concerning this contract or process with any other entities or their agents. In addition, the Fire Department agrees not to use this or any part of this grant proposal in other future grant proposals to be submitted by the Fire Department without expressed permission from GGR.*

- *Not to release a copy of the grant proposals or the funded grants to any individual or entity in order to protect the technology and grant design which is developed and owned by GGR. The Fire Department agrees that the grant mode, concept, and formatting are the sole property of GGR.*
- *To provide any aid and assistance to GGR in researching and developing the proper information necessary in order to facilitate said grant proposal.*
- *When the Fire Department is actually submitting the grant proposal, will do so on time and agrees not to hold GGR responsible for not submitting the grant proposal on time.*
- *In the event that a grant permits "administration fees", Fire Department agrees to utilize the services of GGR and not a third party source unless GGR declines the offer.*

Section II Method of Payment

The Fire Department Agrees:

- *All associated payments shall be made by check payable to: **Gatchell Grant Resources, LLC***
- *That GGR will waive the initial non-refundable six hundred ninety five dollar (\$695.00) fee for the research, preparation and submission of the specified grant proposal. [2019 AFG Operations and Safety Equipment Grant].*
- *An Administrative Fee of eight percent (8%) of the grant award will be paid to GGR at the time the grant contracted for is awarded by the grant funder. This amount shall not exceed three thousand dollars (\$3,000.00). It is also understood that some grant funders make payments to the awarded Fire Department over a period of time and not in a lump sum, depending on the type of grant awarded. Therefore, upon issuance of the grant award contracted for by the grant funder, the Fire Department agrees within thirty (30) days of the award date, make full payment of the eight percent (8%) fee to GGR, again not to exceed the \$3,000.00 cap. This fee is not an allowable expense through this grant and is the responsibility of the Fire Department.*

GGRLLC Agrees:

- *That if this grant application is not awarded, GGR will re-write the grant application the following year for FREE. The eight percent (8%) Administrative Fee still applies if awarded.*
- *This contract may be terminated by the Fire Department upon thirty (30) days written notice to GGR. Upon notice of termination, GGR shall be entitled to fees for work performed up to the date of receipt of the written notice of termination which is the initial payment which shall be forfeited.*

- For the eight percent (8%) Administration Fee GGR agrees to assist with any draw downs, amendments, reports, closeout reports, discussions, questions or emails associated with this grant from date of award to the date the close out letter is received.
- The Fire Department has the sole discretion as to what grant that they want to apply for. However, GGR will advise as to eligibility and potential for success of grant being submitted.
- Renewal of this contract will be voluntary on the part of the Fire Department as it may choose to renew or to terminate Fire Department grant writing services.

**Section III
Agreements**

This Agreement is binding between all present and future agents of Fire Department. In the even the authority of the responsible parties detailed in the documentation of this agreement is transferred for any reason, to include occupation, retirement, disability or death, demotion, the agreement shall remain binding with Fire Department.

IN WITNESS THEREOF, all parties have caused this contract to be executed by their duly authorized officials:

MEDINA CITY FIRE DEPARTMENT

City Mayor

Date

Fire Chief

Date

GATCHELL GRANT RESOURCES, LLC

Vera V. Gatchell

Vera V. Gatchell

Date

Diell Everhart

Diell Everhart

Date

ORDINANCE NO. 49-20

AN ORDINANCE AMENDING ORDINANCE NO. 98-19, PASSED JUNE 24, 2019, RELATIVE TO THE AGREEMENT WITH THE BOARD OF COMMISSIONERS OF MEDINA COUNTY, OHIO TO SHARE COSTS OF PROFESSIONAL DESIGN, PLANNING AND CONSTRUCTION MANAGEMENT SERVICES FOR THE JOINT CONSTRUCTION AND MANAGEMENT OF A COUNTY-CITY COURTHOUSE.

WHEREAS: Ordinance No. 98-19, passed June 24, 2019, authorized the payment of \$133,000.00 to the Board of Commissioners of Medina County, Ohio to share costs of professional design, planning and construction management of a County-City Courthouse; and

WHEREAS: Section 3 of Ordinance 98-19, passed June 24, 2019 stated incorrectly that the funds should be payed to Brandstetter Carroll Architects; however; the contract states funds should be payed to the Board of Commissioners of Medina County.

WHEREAS: That the amount authorized by Ord. 98-19 did not include the fees for the Construction Manager at Risk.

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

SEC. 1: That the contract amount authorized in Ordinance No. 98-19, passed June 24, 2019, is hereby amended from \$133,000.00 to \$171,000.00 to be paid to the Board of Commissioners of Medina County, Ohio.

SEC. 2: That the additional \$38,000.00 in funds to cover these costs are available as follows: \$19,000.00 in Account No. 301-0707-54412 and \$19,000.00 in Account No. 169-0705-54412.

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. 50-20

**AN ORDINANCE AMENDING ORDINANCE NO. 187-19,
PASSED NOVEMBER 25, 2019. (Amendments to 2020 Budget)**

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

SEC. 1: That Ordinance No. 187-19, passed November 25, 2019, shall be amended by the following additions:

| <u>Account No./Line Item</u> | <u>Additions</u> |
|--|------------------|
| 104-0310-52215 (Rotary Donation for 9-11 Monument) | 5,000.00 * |
| 104-0309-53322 | 6,000.00 |
| 104-0309-53322 | 5,315.00 * |
| 104-0301-53315 (Miracle League Donation-Sam Masi Park) | 153.03 * |

SEC. 2: That Ordinance No. 187-19, passed November 25, 2019, shall be amended by the following reductions:

| <u>Account No./Line Item</u> | <u>Reductions</u> |
|------------------------------|-------------------|
| 104-0309-54412 | 6,000.00 |

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.

* - new appropriation

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor