

Special City Council Meeting

*Wednesday, March 18, 2020 – 5:30 p.m.
Council Rotunda*

Call to order.

Roll call.

Introduction of Ordinances and Resolutions.

Ord. 62-20

An Ordinance amending Section 917.03(b) of the Codified Ordinances of the City of Medina, Ohio relative to Water Service – Disconnection for Nonpayment or Violation; Reconnection Charges; Deposits.

(emergency clause requested)

Ord. 63-20

An Ordinance amending Section 111.01 of the Codified Ordinances of the City of Medina, Ohio relative to Time and Place of Regular Meetings, and Section 107.03 relative to Notification of Public Meetings.

(emergency clause requested)

Adjournment.

ORDINANCE NO. 62-20

**AN ORDINANCE AMENDING SECTION 917.03 (b) OF THE
CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO
RELATIVE TO WATER SERVICE - DISCONNECTION FOR
NONPAYMENT OR VIOLATION; RECONNECTION
CHARGES; DEPOSITS AND DECLARING AN EMERGENCY.**

WHEREAS: That Section 917.03(b) of the codified ordinances of the City of Medina, Ohio presently reads as follows:

**917.03 DISCONNECTION FOR NONPAYMENT OR VIOLATIONS;
RECONNECTION CHARGES; DEPOSITS.**

(b) Disconnection; Reconnection Charges; Deposits.

- (1) Water service shall be discontinued temporarily by order of the Director of Public Service or his authorized agent for failure to pay for water service or for any suspected violation of rules, regulations, rulings or authorizations hereinabove set forth. Council may permanently revoke a water service license, by resolution, upon a showing to its satisfaction that any rule, regulation or order as hereinabove set forth or as may hereafter be adopted has been or is being violated by any person using water service with or without consent of the owner of the real property being served.
- (2) A fee of fifty dollars (\$50.00) shall be charged to users who have been certified for temporary disconnection.
- (3) Where service has been certified for temporary discontinuation on a residential account for failure to pay utility services, a one hundred dollar (\$100.00) deposit shall be collected by the Director of Finance before service shall be restored. The deposit shall be held in trust until such time as the discontinued account is finalized.
- (4) When two or more meters have been provided to a property which has a single service line and one or more of the users has been certified for temporary discontinuation of service, the City shall offer the owner one of the following four options:
 - A. The landowner may receive the bill for the single service, including the current delinquency, in his or her name.
 - B. The landowner may provide a service line to each one of the meters at the property, thus providing separate billings and separate collection on each.
 - C. The landowner may take responsibility for the tenant's bill in the event of nonpayment.
 - D. The City shall discontinue utility services.

(Ord. 91-03. Passed 7-14-03)

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

SEC. 1: That Section 917.03(b) of the codified ordinances of the City of Medina, Ohio shall be amended to read as follows:

**DISCONNECTION FOR NONPAYMENT OR VIOLATIONS;
RECONNECTION CHARGES; DEPOSITS.**

(b) Disconnection; Reconnection Charges; Deposits.

- (1) Water service shall be discontinued temporarily by order of the Director of Public Service or his authorized agent for failure to pay for water service or for any suspected violation of rules, regulations, rulings or authorizations hereinabove set forth. Council may permanently revoke a water service license, by resolution, upon a showing to its satisfaction that any rule, regulation or order as hereinabove set forth or as may hereafter be adopted has been or is being violated by any person using water service with or without consent of the owner of the real property being served.
- (2) Water service disconnections shall be suspended from March 15, 2020 to June 30, 2020 due to economic disruptions resulting from the COVID-19 pandemic that has caused the Governor of the State of Ohio to declare an emergency. Water users will continue to be billed at the normal rate for water usage during the time period named hereinafter, which shall include charges for interest and penalties.**
- ~~(2)~~ (3) A fee of fifty dollars (\$50.00) shall be charged to users who have been certified for temporary disconnection.
- ~~(3)~~ (4) Where service has been certified for temporary discontinuation on a residential account for failure to pay utility services, a one hundred dollar (\$100.00) deposit shall be collected by the Director of Finance before service shall be restored. The deposit shall be held in trust until such time as the discontinued account is finalized.
- ~~(4)~~ (5) When two or more meters have been provided to a property which has a single service line and one or more of the users has been certified for temporary discontinuation of service, the City shall offer the owner one of the following four options:
- A. The landowner may receive the bill for the single service, including the current delinquency, in his or her name.
 - B. The landowner may provide a service line to each one of the meters at the property, thus providing separate billings and separate collection on each.
 - C. The landowner may take responsibility for the tenant's bill in the event of nonpayment.
 - D. The City shall discontinue utility services.

(Ord. 91-03 Passed 7-14-03, **Ord. 62-20**)

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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 63-20

AN ORDINANCE AMENDING SECTION 111.01 OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO RELATIVE TO TIME AND PLACE OF REGULAR MEETINGS SECTION 107.03 AND SECTION 107.05 RELATIVE TO NOTIFICATION OF PUBLIC MEETINGS, AND DECLARING AN EMERGENCY.

WHEREAS: That Section 111.01 of the codified ordinances of the City of Medina, Ohio relative to Time and Place of Regular Meetings presently reads as follows:

111.01 TIME AND PLACE OF REGULAR MEETINGS.

Except for the full months of July, August and December, the regular meetings of Council shall be held in the Council Chambers on the second and fourth Mondays of each month at 7:30 p.m. If a regular meeting falls on a holiday, such meeting shall be held the next succeeding day that is not a holiday at 7:30 p.m., unless by a majority vote Council decides to hold the meeting on the holiday. This vote shall take place at the Council meeting preceding the holiday. During the month of July there shall be one regular Council meeting on the second Monday in the Council Chambers at 7:30 p.m. During the month of August there shall be one regular Council meeting on the fourth Monday in the Council Chambers at 7:30 p.m. During the month of December there shall be one regular Council meeting on the second Monday in the Council Chambers at 7:30 p.m.

WHEREAS: That Section 107.03 of the codified ordinances of the City of Medina, Ohio relative to Notice of Regular and Organizational Meetings presently reads in part as follows:

107.03 NOTICE OF REGULAR AND ORGANIZATIONAL MEETINGS.

- (a) The Clerk shall ...
- (b) The Clerk shall post...
- (c) Upon adjournment of any regular or special meeting to another day, the Clerk shall promptly post notice of the time and place of such adjourned meeting.

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

SEC. 1: That Section 111.01 of the codified ordinances of the City of Medina, Ohio shall be amended to read as follows:

111.01 TIME AND PLACE OF REGULAR MEETINGS.

- (a) Except for the full months of July, August and December, the regular meetings of Council shall be held in the Council Chambers on the second and fourth Mondays of each month at 7:30 p.m. If a regular meeting falls on a holiday, such meeting shall be held the next succeeding day that is not a holiday at 7:30 p.m., unless by a majority vote Council decides to hold the meeting on the holiday. This vote shall take place at

the Council meeting preceding the holiday. During the month of July there shall be one regular Council meeting on the second Monday in the Council Chambers at 7:30 p.m. During the month of August there shall be one regular Council meeting on the fourth Monday in the Council Chambers at 7:30 p.m. During the month of December there shall be one regular Council meeting on the second Monday in the Council Chambers at 7:30 p.m.

- (b) After providing advance notice to Council on the docket, the President of Council, may propose to postpone or cancel meetings. The proposal must be approved by at least two thirds of the members of Council.**
- (c) The President of Council, or in the President's absence the President Pro-Tempore, may postpone or cancel council meetings, or limit public attendance to online streaming in the event of a state of emergency being declared by the State of Ohio, Medina County, or the City of Medina or upon recommendation of community health and safety officials.**

SEC. 2: That Section 107.03 of the codified ordinances of the City of Medina, Ohio shall be amended to read in part as follows:

107.03 NOTICE OF REGULAR AND ORGANIZATIONAL MEETINGS.

- (a) The Clerk shall post...
- (b) The Clerk shall post...
- (c) Upon adjournment of any regular or special meeting to another day, the Clerk shall promptly post notice of the time and place of such adjourned meeting.
- (d) Cancellation, Postponement or Change of Access. In the event of an emergency leading to the cancellation, postponement or change of public access as set forth in Chapter 107, the persons making the change or the Clerk or Secretary on their behalf shall immediately give notice of the change to news media who have requested notification and shall submit the change for publication on the City's digital communication channels.**

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; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor