

**CITY OF MEDINA  
AGENDA FOR COUNCIL MEETING**

June 22, 2020  
Medina City Hall  
7:30 p.m.

**Call to Order.**

**Roll Call.**

**Reading of minutes.** (June 8, 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.**

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

Ord. 114-20, Res. 115-20, Ord. 116-20, Ord. 117-20, Ord. 118-20, Ord. 119-20, Ord. 120-20, Res. 121-20, Res. 122-20, Ord. 123-20, Ord. 124-20.

Ord. 114-20

An Ordinance authorizing the Job Creation Grant Agreement for Carlisle Brake & Friction, Inc.

Res. 115-20

A Resolution accepting the Technology Grant award from the Ohio Supreme Court for the Medina Municipal Court.

Ord. 116-20

An Ordinance adopting three amendments to the City of Medina Section 125 Plan.  
(emergency clause requested)

Ord. 117-20

An Ordinance authorizing the Finance Director to make certain fund transfers.

Ord. 118-20

An Ordinance authorizing the Mayor to enter into an agreement with GIS Group, LLC for GIS Asset Management software and services for the City of Medina Water Department.

Ord. 119-20

An Ordinance amending Sections 31.02(B), 31.05 and 31.07 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Street Department, and accepting the job description of Sign Technician.

Ord. 120-20

An Ordinance amending Section 31.05 and 31.07 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Water Department, and abolishing the job description of System Testing Technician.

Res. 121-20

A Resolution adopting the Tax Budget of the City of Medina, Ohio for the fiscal year beginning January 1, 2021 and submitting the same to the Medina County Auditor.

Res. 122-20

A Resolution affirming that all funds received from the County Coronavirus Relief Distribution Fund pursuant to H.B. 481 be expended only to cover costs of the City of Medina, Ohio consistent with the requirements of Section 5001 of the CARES Act as described in 42 U.S.C. 601(d).  
(emergency clause requested)

Ord. 123-20

An Ordinance to approve, adopt and enact current replacement pages to the Codified Ordinances of the City of Medina, Ohio.

Ord. 124-20

An Ordinance amending ordinance No. 55-17, passed April 24, 2017, relative to the temporary extension of the Summer Special Membership sales for the 2020 season at the Medina Community Recreation Center.  
(emergency clause requested)

**Council Comments.**

**Adjournment.**

**\*\*REMOTE TELECONFERENCE MEETING\*\***

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**\*\*NOTE:** The June 8th, 2020 meeting of the Medina City Council was conducted as a remote meeting, pursuant to H.B. #197.

**Call to Order:**

Medina City Council met in remote session on Monday June 8, 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, Chief Kinney, Kimberly Marshall, and Kathy Patton.

**Minutes:**

Mr. Shields moved that the minutes from the regular meeting on May 26, 2020 as prepared and submitted by the Clerk be approved. The roll was called and the motion passed by the yea votes 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 they met prior to this evenings Council Meeting 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 had no report, trying to schedule a meeting prior to Council summer break.

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

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

Emerging Technologies Committee: Mr. Rose had no report.

**Requests for Council Action:**

**Finance Committee**

20-123-6/8 – Budget Amendments

Medina City Council  
June 8, 2020

- 20-124-6/8 – Technology Grant Award – Municipal Court
- 20-125-6/8 – Section 125 Plan Changes
- 20-126-6/8 – 2021 Tax Budget
- 20-127-6/8 – Agreement w/ GIS Group, LLC – Software/Services for Water Dept.
- 20-128-6/8 – Transfer Request – Fund #168 to Fund #169 – Municipal Court
- 20-129-6/8 – Amend S&B Code, Street Dept. Part-Time Laborers
- 20-130-6/8 – Amend S&B Code, Water Dept. Abolish System Testing Tech / Add F/T Laborer

**Reports of Municipal Officers:**

**Dennis Hanwell, Mayor,**

- A. Covid-19- Thank you to public for helping reduce the spread by following guidelines of social distancing, wearing masks in public, and avoiding large gatherings. Updated information on business openings, safety protocols, etc. are on the City and Medina Co. Health Dept. Website. Please support local businesses.
- B. New Parking Deck/TIF- The new parking deck being erected was supplemented by a \$1m capital grant from the State of Ohio. The deck is progressing well and expected to be completed near the end of June, weather dependent.
- C. Please complete the U.S. Census. Important that all residents are counted. We qualify for state and federal grants based on the reporting.
- D. The original Medina Square Farmers Market opened its 15th season on the Medina Square on June 6th, and will run through October 17th. The market will be open from 8-9 a.m. for guests over 59, and immune compromised shoppers, and from 9 a.m. to 1 p.m. for regular shoppers. (optional: The market is presented in partnership with the City of Medina, and sponsored by Cleveland Clinic Medina Hospital) Due to social distancing requirements and concerns for the safety of guests and vendors, the market has been reduced to roughly 20 full time vendors, and another 6-8 part time vendors. A full selection of products will be offered. For more information, and to see customer shopping guidelines, please visit [medinafarmersmarket.com](http://medinafarmersmarket.com), or Medina Farmers Market on Facebook.
- E. July 4 parade and fireworks are cancelled due to restrictions by OH State Health Director on large gatherings. Asked local Health Director if we blocked access to parking around High School if we may still have them, but was concern with people walking in from neighborhood and gatherings. I on behalf of the City may not sign permit without being in violation of law.
- F. Chief Kinney- outstanding job with planning, organization and coordination of five rallies over weekend. Great support from Medina County Law Enforcement. All went well for City and participants. Thank you Medina!

**Keith Dirham, Finance Director,** stated there are a couple of things that originated with the Finance Meeting and he will address them.

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

**Chief Kinney, Police Department,** reported they had 5 protests over 3 days here in the Medina City Square. Started Friday night and ended Sunday. All were very peaceful, demonstrations were to honor George Floyd on the incident that happened in Minneapolis. We had Police Chiefs from

Medina City Council  
June 8, 2020

throughout the county that were mingled throughout the square and talking to the citizens. We got a lot of good feedback and Chief Kinney is really proud of how the officers handled themselves and how they protected the demonstrators. Two of the rallies included marches where our officers assisted in escorting folks across the streets and intersections. Chief Kinney thanked some individuals that were involved in assisting us in this team effort.

**Kimberly Marshall, Economic Development Director**, had no report.

**Jonathan Mendel, Planning Community Director**, was absent.

**Chief Painter, Fire Department**, was absent.

**Mike Wright, Rec. Center Director**, was absent.

**Jansen Wehrley, Parks and Recreation Director**, was absent.

**Dan Gladish, Building Official**, was absent.

**Patrick Patton, City Engineer**, stated ODOT will be replacing a culvert on Route 3, this is Weymouth Road between East Friendship and East Union and beginning on Monday, June 22<sup>nd</sup> they will be closing Route 3 at that location for 60 days. Detours will be posted both locally and on I-71.

**Nino Piccoli, Service Director**, had no report.

**Notices and petitions:**

There were none.

**Unfinished Business:**

There was none.

**Introduction of Visitors:**

**Amy Hopkins**, is with First Energy and wanted to introduce herself and is very eager to serve this community.

**Pat Walker**, 523 E. Friendship, Medina OH 44256 (Comments read by President of Council)  
On June 2nd there was a Steering Committee meeting of the Joint Courthouse Project. Unfortunately, we did not learn much other than the current plans are more than the City and County want to spend. However, no specific numbers were available. This uncertain financial time is not the time for a massive building project.

Before the City and the County spend millions of taxpayer dollars and demolish the iconic white-columned 1969 Courthouse, the voters of the City of Medina have the opportunity to put the Courthouse issue on the November ballot for a vote by the people.

Medina City Council  
June 8, 2020

All of June from 1 to 4 p.m. on Saturdays and Sundays and from 5-7 p.m. on Thursday evenings there will be a social distance drive-thru for City of Medina voters to sign the petition to put the Courthouse issue on the ballot. This initiative will give citizens of Medina a say before many millions of dollars are spent and the iconic 1969 Courthouse is demolished. The drive-thru is at 231 South Broadway across from Garfield Elementary. Look for the "Sign Courthouse Petition Here" signs. Any citizens who have questions or who want to help gather signatures, please call 330-722-5567. Thank you for reading my public comment.

**Ralph Jocke**, 523 E. Friendship, Medina (Comments read by President of Council)  
The current Medina County Courthouse has asbestos insulation and fireproofing. Asbestos fibers are a deadly carcinogen. Any level of asbestos fibers in the air makes the air unsafe to breathe.

The Agreement that has been entered into with the Construction Manager, Gilbane Construction, for demolition of the County Courthouse explicitly relieves Gilbane of all responsibility for asbestos removal and disposal. The Agreement also relieves Gilbane of responsibility for protecting the public from exposure to asbestos as a result of Gilbane's construction and demolition activities.

Given the serious risk to public health presented by exposure to asbestos fibers in connection with the proposed Courthouse Project, I respectfully request that:

- 1) the additional costs that will be incurred to safely remove and dispose of the asbestos in the County Courthouse be accurately determined and promptly publicly disclosed as part of the cost of the proposed Courthouse Project, and
- 2) that the Agreement with Gilbane Construction be amended so that Gilbane bears responsibility for protecting the public from exposure to carcinogenic asbestos fibers that may result from the demolition of the County Courthouse, as well as all costs of asbestos removal and disposal.

I expected that this issue would be addressed at the public meeting with the architects, Brandstetter Carroll, on June 2. However, nothing at that meeting provided assurance that the public health is being protected or that the cost of proper asbestos removal and disposal is being considered in the projected costs of the Courthouse Project.

I ask the Medina City Council members to promptly take the requested actions to protect the health of Medina's citizens, and so that this Council and the citizens understand the costs that will be incurred to carry out the proposed Courthouse Project. Thank you.

**Nathan Case**, 513 East Washington Street, Medina (Comments read by Council-At-Large Paul Rose)

Two hundred and forty-four years ago the continental congress declared that this great nation of states be declared independent from the British Monarch of King George III. From the hands of Thomas Jefferson, we as a nation, united under the Declaration of Independence, kindled a fire of freedom and revolt against tyranny. This nation was born by the greatest Americans of the time; George Washington, Thomas Jefferson, Samuel Adams, Patrick Henry, John Adams and James Monroe. Thomas Paine said "This new world hath been the asylum for the persecuted

lovers of civil and religious liberty from every part of Europe. Hither they have fled, not from the tender embraces of the mother, but from the cruelty of the monster; and it is so far true of England, that the same tyranny which drove the first emigrants from home, pursues their descendants still.” Paine stated this in the infancy of our nation. Since then this nation has become the home of the world. We painstakingly declared our freedom from the British and aided other great nations to battle their oppressors. This nation, built on the blood of its patriots, survived a multitude of battles and wars both in our pursuits and in the interests of our moral fortitude. We stand here today a divided country. A country devoid of camaraderie. We as a nation have forgotten what we have fought and died for. Amidst the social distancing of COVID-19, the mortal fear of the virus, the racial unrest, the political deadlocks, the economic turmoil, and the extreme weather we need to concentrate on the foundation of what makes this country the envy of the rest of this world. We as a nation possess the liberties and freedoms that are taken for granted on a daily basis. We need to celebrate this country. We need to celebrate together, as a community and a nation. We must not turn our backs on the country that sacrificed so much before us. This year our country deserves a celebration grander than ever. We should do our part, as members of this nation, and march down the streets of our community and declare our national pride. If we have the right to peacefully protest, we too should have the right to declare our gratitude to this country. This Independence Day should mark the day we declare that “we are all in this together”. Our actions should dictate a love for this country. We should want everyone, with all our similarities and differences, to make an effort to walk together shrouded in unity for the United States of America. This year, of all years, the Medina City Independence Day Parade should continue the traditions of our past. After all, traditions unite a community and define a nation. With the help of Medina City Council, I implore you to unite for this cause and overturn the decision to cancel this year’s Independence Day celebration. I will personally work with you to organize a petition or follow the proper procedure to remedy this injustice. Thank you for your time. God bless America. Sincerely your patriot.

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

Motion to suspend the Rules requiring three readings on the following ordinances and resolutions Ord. 106-20, Res. 107-20, Res. 108-20, Res. 109-20, Ord. 110-20, Res.111-20, Res. 112-20 & Ord. 113-20. The roll was called and the motion to suspend passed by the yea votes of J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

**Ord. 106-20:**

**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. 106-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 106-20, seconded by Mr. Simpson. We are going to be paying part of this and we are asking for the emergency clause because the work has already been done. 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. 106-20 passed by the yea votes of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

**Res. 107-20:**

**A Resolution accepting the grant award from the Ohio Law Enforcement Body Armor Program to purchase body armor vests for the Medina Municipal Court.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 107-20, seconded by Mr. Simpson. Mayor Hanwell stated on behalf of the court the Ohio Attorney General's Office and Ohio Bureau Workers Comp. created the new Ohio Law Enforcement Body Armor Program. The Municipal Court has applied and awarded \$4,272.75 for the vests and is asking City Council to permit them to accept the grant. The roll was called and Ordinance/Resolution No. 107-20 passed by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

**Res. 108-20:**

**A Resolution authorizing the Mayor to file an application for grant assistance with the Ohio Criminal Justice Service for reimbursement for COVID-19 associated expenses for the Medina Police Department.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 108-20, seconded by Mr. Simpson. Chief Kinney stated this is permission to file for grant acceptance for the Ohio Criminal Justice Services. They are offering reimbursement for COVID-19 related expenses for the Police Department. The amount requested is \$50,725.43. The roll was called and Ordinance/Resolution No. 108-20 passed by the yea votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and J. Hazeltine.

**Res. 109-20:**

**A Resolution accepting the donation from Spray Products of hand sanitizer to the City of Medina.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 109-20, seconded by Mr. Simpson. Kimberly stated the donation from Spray Products of Hand Sanitizer donation is valued at \$1,560.00. The company converted a portion of their operation to make this hand sanitizer and they wanted to help the city during this pandemic. The donation consisted of 13 cases of spray cans and 2 cases of pour bottle cans and each can is 8.5 ounces. The company also donated 2 cases to Main Street Medina for our Farmer's Market season. The roll was called and Ordinance/Resolution No. 109-20 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, and E. Heffinger.

**Ord. 110-20:**

**An Ordinance authorizing the Job Creation Grant Agreement for Miller Plating, LLC.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 110-20, seconded by Mr. Simpson. This is for the purpose of establishing a new business located at 940 Lafayette Rd. creating 35 new full time positions by 2023. The Law Director has reviewed, also the Business Development Community. The Job Creation Grants are paid from non-income tax generated revenue. The roll was called and Ordinance/Resolution No. 110-20 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, and B. Lamb.

**Res. 111-20:**

**A Resolution donating a 2013 Ford Explorer to the Medina County Career Center Criminal Justice Program.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 111-20, seconded by Mr. Simpson. Chief Kinney stated this donation is for the Medina County Career Center Criminal Justice Program. The roll was called and Ordinance/Resolution No. 111-20 passed



by the yea votes of J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

**Res. 112-20:**

**A Resolution directing owners to drain Lindenwood Lake, repair the Lindenwood Dam and remove obstructions, silt and substances as would create a nuisance.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 112-20, seconded by Mr. Simpson. Mr. Shields moved for the adoption of Ordinance/Resolution No. 112-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 112-20, seconded by Mr. Simpson. Mr. Huber stated the dam at Lindenwood Lake has been compromised and the Department of Natural Resources advises that the dam is in dire need of repair and currently constitutes a nuisance. This ordinance, pursuant to state statute, allows the City to direct the owners of the lake to make repairs and within 30 days after receipt of the resolution. If the owners are unable to do that the City will make the repairs and collect the cost of repair through either tax assessment or leans against the property so as to replace the monies used for the repair. The lake at this point does constitute a nuisance and this is a mechanism to try and repair the situation. 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. 112-20 passed by the yea votes of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

**Ord. 113-20:**

**An Ordinance amending Ordinance No. 187-19, passed November 25, 2019. (Amendments to 2020 Budget)** Mr. Shields moved for the adoption of Ordinance/Resolution No. 113-20, seconded by Mr. Simpson. Mr. Dirham stated there is one increase, this is a passthrough where we received funds and we need to appropriate them in order to be able to spend them. There are 3 reductions that came from the budget hearings. The roll was called and Ordinance/Resolution No. 113-20 passed by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

**Council Comments:**

Mr. Simpson stated he had the opportunity to attend a few of the protests held in the square and has a better understanding. Denny thanked Mayor Hanwell when he spoke at the Saturday protest. Recommends reading the three books he posted on social media. Denny also thanked Chief Kinney for the organization of this weekend events and all the officers. Denny expressed that the Medina is very fortunate that when we hire a Police Officer in Medina there is a full background check they go through and extensive psychological testing.

As a nation we have to do better, more now than in the past with some of the situations going on in our country. Be kind of one another and respect one another.

Mr. Heffinger echoed what Mr. Simpson had to say and stated we have to listen to each other and this weekend is a great example of what we had to do. It was a very powerful weekend. Black Lives Matter. We need to make sure that the problems that they are describing to us are fixed. Laws need to be put in place. Let's continue to have these tough conversations. Please remember that we are still having a pandemic and while choosing to go to these things, yes

Medina City Council  
June 8, 2020

it was our choice but we may have exposed ourselves to the virus, it is our responsibility to wear a mask because you could be at risk for the next two weeks or so, so just consider that when interacting with people.

Our local businesses need our support so please come out, wear your masks, practice social distancing and support.

Eric spoke of this being PRIDE month.

Mrs. Hazeltine also echoed what previous councilmen had stated and mentioned that she attended four of the demonstrations over the weekend. Every moment you have a chance to see something and say something. Jess made a promise to her ward 1 as is it the most diverse ward in Medina city that this will not just be a black screen on Facebook, this will be more than just a hashtag. This is a movement and we are going to make progress on this as a city. She has spoken with Chief Kinney to do an evaluation of all our policies and procedures.

She reminded the public of Coffee with Bill and Jess now on Medina TV.

Jess encouraged all to celebrate PRIDE with the LGTBQ community throughout the month of June.

Mr. Rose attended the demonstration on Saturday afternoon on the square, Pastor Ruffin did an excellent job of conveying true words/feeling that we all need to contemplate and listen on. Thankful for all that were respectful and the professionalism of the police departments. Support your local businesses.

Mr. Lamb stated this weekend and the events of the last week maybe remind us that protesting is fundamental to this country and one of the highest forms of patriotism.

He was moved by the crowd that was there, because they were also moved.

Bill feels we still have a long way to go and hopefully we were reminded of what really is fundamental to making this country a better place to live and that is to continue to do whatever you need to do to protect the life and safety of everybody that lives here in an absolutely equal way.

Mr. Shields thanked everybody that participated in the weekend events, it was a great weekend and he is proud of Medina. Jim thanked Dennie for always saying be kind to everyone, because that is the start of everything.

Mr. Coyne stated to follow up on what everyone else said is that it is important that we come together as a community and Medina is a great community that shows our diversity and shows how we treat people. He feels that is why people like to live in Medina, because of the way we treat people and how we handle ourselves and how the city conducts itself.

We do have a budget hearing on Wednesday, June 17<sup>th</sup> at 5:30pm talking about Parks and the Fire Department. Have a good week.

There being no further business before Council, the meeting adjourned at 8:15 p.m.

Medina City Council  
June 8, 2020

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Kathy Patton, CMC - Clerk of Council

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John M. Coyne, President of Council

**ORDINANCE NO. 114-20**

**AN ORDINANCE AUTHORIZING THE JOB CREATION GRANT AGREEMENT FOR CARLISLE BRAKE & FRICTION, INC.**

**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:** As part of said Job Creation Grant Program, a Business Development Committee was established to review applications and annually review each approved grant for adherence to their grant agreement; and

**WHEREAS:** The Business Development Committee recommended the attached grant agreement for Carlisle Brake & Friction, Inc.

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

**SEC. 1:** That the Job Creation Grant Agreement #JCG21 for Carlisle Brake & Friction, Inc. is hereby authorized.

**SEC. 2:** That the Mayor is hereby authorized to execute all documentation associated with the Grant.

**SEC. 3:** That a copy of the Job Creation Grant 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:** \_\_\_\_\_

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

**Clerk of Council**

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

**Mayor**

PLEASE REVIEW THE EMPLOYMENT AND PAYROLL NUMBERS FOR CONSISTENCY WITH YOUR APPLICATION FORM. THESE NUMBERS WILL BECOME YOUR COMPANY'S COMMITMENT TO THE CITY OF MEDINA.

ORD 114-20  
Exh. A

EXHIBIT A

GRANT# JCG21-Carlisle Brake & Friction,  
Inc.20  
(Administrative Only)

JOB CREATION GRANT AGREEMENT

This Agreement made and entered into by and between the CITY OF MEDINA, OHIO, a municipal corporation, with its main offices located at 132 North Elmwood Avenue, Medina, Ohio 44256 (hereinafter referred to as "Medina") and Carlisle Brake & Friction, Inc. with its main offices located at 6180 Cochran Road, Solon, Ohio 44139 (hereinafter referred to as "Company"), and is dated as of \_\_\_\_\_.

WITNESSETH:

WHEREAS, Medina has encouraged the creation and retention of new job opportunities throughout the City of Medina; and

WHEREAS, Carlisle Brake & Friction, Inc. is desirous of consolidating a portion of its Solon, Ohio location into the City of Medina and will be moving part of its operations from the Solon, Ohio location to the 920 Lake Road, Medina, Ohio location to create 48 new full time employment opportunities (hereinafter sometimes referred to as the "PROJECT") within the boundaries of the City of Medina, provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and

WHEREAS, the Council of the City of Medina, Ohio by Ordinance No. 154-07 adopted September 25, 2007 created the Job Creation Grant Program pursuant to Article XVIII, Section 3 and Article VIII, Section 13 of the Ohio Constitution; and

WHEREAS, the City of Medina, having the appropriate authority for the stated type of program, is desirous of providing Carlisle Brake & Friction, Inc. with incentives available for the development of the PROJECT; and

WHEREAS, Carlisle Brake & Friction, Inc. has submitted a proposed Agreement application (herein attached as Exhibit A1) to the City of Medina (said application hereinafter referred to as "Application"); and

WHEREAS, Carlisle Brake & Friction, Inc. has remitted the required application fee of \$ 500.00 made payable to the City of Medina; and

WHEREAS, the Business Development Committee of the City of Medina has investigated the application of Carlisle Brake & Friction, Inc. and has recommended the same to Medina City Council on the basis that Carlisle Brake & Friction, Inc. is qualified by

financial responsibility and business experience to create employment opportunities in the City of Medina and improve the economic climate of Medina; and

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. Description of the Project.

- A. **Carlisle Brake & Friction, Inc.** shall consolidate part of its Solon, Ohio location into the facility located at 920 Lake Road, Medina, Ohio.

2. Project Investment.

- A. The PROJECT will involve a total investment, plus or minus 10%, by the Property Owner of \$1,900,000.00 (dollars) the PROJECT.
- B. The PROJECT will involve a total investment, plus or minus 10%, by **Carlisle Brake & Friction, Inc.** as follows:

|                                       |    |                     |
|---------------------------------------|----|---------------------|
| 1. Improvements to Existing Buildings | \$ | <u>1,900,000.00</u> |
| TOTAL                                 | \$ | 1,900,000.00        |

- C. Consolidation of the facilities and improvements will begin approximately **June, 2020** and will be completed approximately **October, 2020**.

3. Job Creation and Retention.

- A. **Carlisle Brake & Friction, Inc.** shall create in the City of Medina within a time period not exceeding **36** months after the occupation of the aforesaid facility, the equivalent of **48** new full-time permanent job opportunities in the City of Medina.

- 1) **Carlisle Brake & Friction, Inc.** schedule for hiring permanent full time employees is as follows:

| <u>Year</u> | <u>Number of Jobs<br/>New to Medina</u> |
|-------------|-----------------------------------------|
| <b>1</b>    | <b>48</b>                               |
| <b>2</b>    | <b>0</b>                                |
| <b>3</b>    | <b>0</b>                                |

- B. The job creation period begins approximately **June, 2020** and all jobs will be in place by **October, 2020**.

- C. The Company currently has 326 employees at the project site. The Company currently has 326 employees in the City of Medina. In total, the Company has 420 full-time permanent employees in the State of Ohio.
- D. The increase in the number of employees new to the City of Medina will result in approximately \$5,558,693.00 of additional annual payroll in the City of Medina when the projected maximum employment level is achieved.
- E. The retention of the existing jobs in Medina will maintain the current annual payroll in Medina of \$ 16,383,465.00.

4. Issuance of Grant.

- A. The City of Medina hereby grants a Job Creation Grant based upon the creation of new payroll and jobs in the City of Medina, and the implementation of the PROJECT, according to the schedules contained herein in Section 4(C).

| <u>Years</u> | <u>Amount of Grant as a Percentage<br/>Payroll Taxes New to Medina</u> |
|--------------|------------------------------------------------------------------------|
| 7            | 40%                                                                    |

Funding for the grant issued herein shall only be from the following non-tax revenue sources: interest income, permit fees, activity fees, service charges, and tax incentive application and monitoring fees.

- B. For purposes of calculating the amount of the grant, the new payroll upon which the grant is based may not exceed 25% above the maximum payroll projected in Section 3(D) above. The grant amount shall be based on the current 1.25% income tax rate. The maximum grant amount in any year shall be **\$34,741.83 (maximum NEW PAYROLL projection x 125% X 1.25% x 40% of grant)**
- C. To receive a grant in any given year, **Carlisle Brake & Friction, Inc.** must retain full time permanent jobs existing in Medina prior to the Agreement.

- (1) If **Carlisle Brake & Friction, Inc.** does not achieve at least 90% of new payroll projections, **Carlisle Brake & Friction, Inc.** shall receive reduced incentives according to the schedule below:

| <u>% of New Payroll Projection Achieved</u> | <u>Amount of Grant as a Percentage of Payroll Taxes New to Medina</u> |
|---------------------------------------------|-----------------------------------------------------------------------|
| 90-100%                                     | full grant                                                            |
| 85-89%                                      | reduce grant by 5%<br>(Ex.: 40% grant reduced to 35%)                 |
| 80-84%                                      | reduce grant by 10%<br>(Ex.: 40% grant reduced to 30%)                |
| 75-79%                                      | reduce grant by 15%                                                   |
| Less than 75%                               | no grant for that year; and                                           |

- (2) If **Carlisle Brake & Friction, Inc.** fails to meet 75% of new payroll or new employment projections in any given year, the grant shall not be awarded for that year.
- (3) New payroll is defined as that amount in excess of the amount in Section 3(E) above.

## 5. Grant Payments.

### A. Initial Grant Payment.

- (1) Year 3 projections must be met by October 1, 2023. The initial grant payment shall be made by approximately July 1, 2024 (following year), provided that **Carlisle Brake & Friction, Inc.** files its Reconciliation of City Income Tax Withheld Form S-W3 by February 28, 2024, and reconciliation is confirmed by the City of Medina Finance Department.
- (2) If the project start or occupancy of the project facility is delayed, Year 1 may be extended to the following year and the Year 1 projections deadline adjusted accordingly, upon written request by **Carlisle Brake & Friction, Inc.** to the Economic Development Director, provided that the extension is approved by the Economic Development Director with notice to the Business Development Committee.
- (3) If the project or occupancy of a project facility begins in the third or fourth quarter of the year and **Carlisle Brake & Friction, Inc.** is not able to meet its Year 1 projections by December 31<sup>st</sup> of that year, Year 1 will be considered the first full year of occupancy, and the first grant payment will occur in the year following the first full year of the project or occupancy of the project facility.



- B. Timing of Annual Grant Payments. Annual grant payments shall be made by June 30<sup>th</sup> of the following year, provided that **Carlisle Brake & Friction, Inc.** files its Reconciliation of City Income Tax Withheld Form S-W3 by February 28<sup>th</sup> and reconciliation is confirmed by the City of Medina Finance Department. If **Carlisle Brake & Friction, Inc.** requests an extension for filing of its S-W3 form, the City of Medina shall make the grant payment within three months of the extended filing date. It is the responsibility of **Carlisle Brake & Friction, Inc.** to advise the Economic Development Director of the filing extension.
- C. Use of Grant Payments. Grants shall be allocated by **Carlisle Brake & Friction, Inc.** for land acquisition, building acquisition, purchase of machinery/equipment, purchase of furniture/fixtures, and/or other non-construction related and non-installation related costs of the project.
6. Payment of Taxes and Filing Reports and Returns. **Carlisle Brake & Friction, Inc.** shall pay all taxes and shall file all tax reports and returns as required by law. If **Carlisle Brake & Friction, Inc.** fails to pay such taxes or file such returns and reports, all incentives granted under this Agreement are terminated beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter.
7. Information for Annual Review. **Carlisle Brake & Friction, Inc.** shall timely provide to the City of Medina any information reasonably required by the City of Medina to evaluate **Carlisle Brake & Friction, Inc.'s** compliance with the Agreement.
8. Maintenance of Grant.
- A. Medina shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain incentives granted under this Agreement including, without limitation, joining in the execution of all documentation and providing necessary information to maintain the incentives granted hereunder.
- B. If for any reason the Job Creation Grant Program is discontinued, entitlements granted under this Agreement shall continue for the number of years specified under this Agreement, unless **Carlisle Brake & Friction, Inc.** materially fails to fulfill its obligations under this Agreement and Medina terminates or modifies the incentives granted under this Agreement.
9. Certification as to Payment of Taxes. **Carlisle Brake & Friction, Inc.** certifies that at the time this Agreement is executed, **Carlisle Brake & Friction, Inc.** does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which **Carlisle Brake & Friction, Inc.** is liable under Chapter 5733, 5735, 5739, 5741, 5743, 5747, or 5753 of the Ohio Revised Code, or, if such delinquent taxes are owed, **Carlisle Brake & Friction, Inc.** currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in

bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against **Carlisle Brake & Friction, Inc.**. For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes.

10. **Non-Discrimination Hiring.** Medina has developed a policy to ensure recipients of Job Creation Grants practice non-discriminatory hiring in its operations. By executing this Agreement, **Carlisle Brake & Friction, Inc.** is committing to following non-discriminatory hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.
11. **Transfer and Assignment.** This Agreement is not transferable or assignable without the express, written approval of City of Medina. The City of Medina acknowledges that it would be unreasonable to withhold such consent in the event of a proposed transfer or assignment to any parent, subsidiary or affiliate of **Carlisle Brake & Friction, Inc.** or to any third party so long as with respect to all or any of such proposed transfers or assignments, the proposed transferee or assignee adequately and sufficiently demonstrates to the City of Medina, to the City of Medina's reasonable satisfaction, its financial ability, business experience and intentions to continue its operations of the Facility and Project in a manner similar to that of **Carlisle Brake & Friction, Inc.** in all pertinent respects.
12. **Termination or Modification of Incentives.**
  - A. If **Carlisle Brake & Friction, Inc.** fails to meet 75% of new payroll or new employment projections in any given year, the grant shall not be awarded for that year.
  - B. If **Carlisle Brake & Friction, Inc.** fails to meet 75% of new payroll or new employment projections for three consecutive years, this Agreement shall be terminated by the City of Medina.
  - C. If the project does not proceed as specified in Section 5(A)(1) of the Agreement or within the approved one year extension period, the City of Medina may terminate the Agreement upon recommendation of the Business Development Committee.
  - D. If **Carlisle Brake & Friction, Inc.** fails to submit required information and/or reports as set forth in Section 7 above, the City of Medina may terminate or modify this Agreement and deny or modify future grants heretofore granted from the date of **Carlisle Brake & Friction, Inc.**'s breach or default.

In the case as provided in this Subsection D, the City of Medina's termination or modification of this Agreement may be instituted only if **Carlisle Brake & Friction, Inc.** fails to cure any breach of any term of this Agreement as determined by the City of Medina within ten (10) days of receiving written notice of such failure from the City of Medina or, if cure of the breach cannot be completed within ten (10) days, if **Carlisle Brake & Friction, Inc.** has not made a good faith start of the cure, and/or not diligently pursued same.

- E. Nothing contained in Sections 12(A), 12(B), 12(C), or 12(D) shall permit the City of Medina to recapture or otherwise deny **Carlisle Brake & Friction, Inc.** the benefit of a grant in respect of any period prior to the date of such termination or modification by the City of Medina.
- F. The City of Medina may terminate or modify this Agreement and may also require the repayment of the full amount of grant payments awarded under this Agreement, upon the occurrence of any of the following:
- 1) the City of Medina determines that the certification as to delinquent taxes required by this Agreement is fraudulent, or
  - 2) In the event that **Carlisle Brake & Friction, Inc.** vacates the Facility and/or moves the Project out of the City of Medina or terminates its operations at the Facility altogether during a 10 (numeral) year period beginning on the effective date of this Agreement.

The City of Medina may, absent any legislative action, resolution or court ordered mandate to the contrary, collect any and all grant payments awarded under this Agreement, and **Carlisle Brake & Friction, Inc.** shall pay directly to the City of Medina or its authorized agent any and all grant payments awarded under this Agreement due on the date **Carlisle Brake & Friction, Inc.** moves the Project out of the City of Medina or terminates its operations at the Facility altogether during the 10 year period beginning on the effective date of this Agreement; or within ten (10) days from the date **Carlisle Brake & Friction, Inc.** is notified by the City of Medina that any tax certification is fraudulent.

- G. **Carlisle Brake & Friction, Inc.** or successor entity shall promptly notify the City of Medina if any of the following events occur:
- (i) If control of **Carlisle Brake & Friction, Inc.** or substantially all of its assets located at the Project site is obtained by another entity or shareholders or
  - (ii) If **Carlisle Brake & Friction, Inc.** merges with another entity or
  - (iii) If **Carlisle Brake & Friction, Inc.** substantially restructures itself through an acquisition or divestiture or otherwise

and if any of these events affects the ability of **Carlisle Brake & Friction, Inc.** or its successor entity to perform substantially the obligations of **Carlisle Brake & Friction, Inc.** under this Agreement and to meet the employment and payroll projections anticipated herein. "Control of **Carlisle Brake & Friction, Inc.**" for the purposes of this subsection means that persons and/or entities owning the majority of Company's outstanding voting stock at the date of this Agreement cease to own such or cease to have the unconditional right to elect a majority of **Carlisle Brake & Friction, Inc.**'s board of directors.

H. Each provision for modification or termination hereunder shall not affect **Carlisle Brake & Friction, Inc.**'s obligations or the City of Medina's rights under any other provision of this Agreement.

13. **Fees.** **Carlisle Brake & Friction, Inc.** shall pay an annual fee of \$ 500 (five hundred dollars) in each year that **Carlisle Brake & Friction, Inc.** has a grant agreement in effect upon notification that such payment is due. The proceeds will be used to defray costs of program administration and to help fund the program.

14. Any notices, statements, acknowledgements, consent approvals, certificates, or requests required to be given on behalf of either party shall be made in writing addressed as follows:

If to the City to: Dennis Hanwell, Mayor  
Medina City Hall  
132 N. Elmwood Avenue  
Medina, Ohio 44256

With a copy to: Director of Law– City of Medina  
Gregory Huber  
Medina City Hall  
132 N. Elmwood Avenue  
Medina, Ohio 44256

If to \_\_\_\_\_ to:

Carlisle Brake & Friction, Inc.

\_\_\_\_\_  
6180 Cochran Road  
Solon, Ohio 44139

or such other address as may be noticed.

15. Condition Precedent. **Carlisle Brake & Friction, Inc.** and Medina acknowledge that this Agreement must be approved by formal action of the legislative authority of the City of Medina as a condition for the Agreement to take effect.

IN WITNESS WHEREOF, the City of Medina, Ohio, by Dennis Hanwell, its Mayor, and pursuant to Ordinance No. 154-07 and **Carlisle Brake & Friction, Inc.**, by **Karl T. Messmer, President**, have caused this instrument to be executed on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

WITNESSED BY:

\_\_\_\_\_  
\_\_\_\_\_

WITNESSED BY:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CITY OF MEDINA

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

Title: Mayor

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

Title: \_\_\_\_\_

The legal form and correctness of the within instrument is hereby approved.

DIRECTOR OF LAW— CITY OF MEDINA

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

Date: \_\_\_\_\_

**RESOLUTION NO. 115-20**

**A RESOLUTION ACCEPTING THE TECHNOLOGY GRANT  
AWARD FROM THE OHIO SUPREME COURT FOR THE  
MEDINA MUNICIPAL COURT.**

**WHEREAS:** The Medina Municipal Court has been awarded \$62,950.00 through the Ohio Supreme Court for a Technology Grant to be applied to new servers the Court will be purchasing through Technology Engineering Group, LLC.

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

**SEC. 1:** That the Technology Grant award from the Ohio Supreme Court in the amount of \$62,950.00 is hereby accepted for the Medina Municipal Court.

**SEC. 2:** 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. 3:** 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. 116-20**

**AN ORDINANCE ADOPTING THREE AMENDMENTS TO  
THE CITY OF MEDINA SECTION 125 PLAN, AND  
DECLARING AN EMERGENCY.**

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

- SEC. 1:** That the amendments to the City of Medina Section 125 Plan are hereby adopted.
- SEC. 2:** That a copy of Amendments are marked Exhibits A, B & C, 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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to allow employees to make changes immediately if necessary; 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**

Section 125  
Amendment to Increase the Carryover to \$550

**Carryover increase.**

The carryover amount for FSAs has increased from \$500 to \$550 to account for inflation. Employers must adopt a plan amendment by Dec. 31, 2020, and this can be retroactive to the 2020 plan year.

\_\_\_\_\_ with a cafeteria plan year ending on \_\_\_\_\_  
(Company Name) (Month & Year)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date



Section 125  
Amendment to Make Mid-Year Cafeteria Plan Changes

**Cafeteria plans**

A cafeteria plan sponsor, although not required to do so, may amend its plan to permit employees to make the following prospective mid-year changes:

- Make a new election to participate in employer-sponsored health coverage if they initially declined such coverage
- Revoke a previous election for employer-sponsored health coverage and enroll in other employer-sponsored coverage OR provide in writing that they are covered by non-employer-sponsored coverage
- Revoke an election, make a new election, or increase or decrease an election to a healthcare flexible spending account (FSA) or dependent care assistance FSA (DCA)

This special accommodation will apply retroactively to mid-year changes made after Jan. 1, 2020, and expires on Dec. 31, 2020.

\_\_\_\_\_ with a cafeteria plan year ending on \_\_\_\_\_  
(Company Name) (Month & Year)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

Section 125

Amendment to Permit an Extension of 2019 Claims Through December 31, 2020

**Healthcare FSAs and DCAs**

- **Grace period extension.** Employers may amend their plans to allow employees to use unused amounts in their FSAs and DCAs as of Dec. 31, 2019, to pay for expenses incurred before Dec. 31, 2020 – thereby extending the grace period a full year. The extension for incurring claims is available to both cafeteria plans that have a grace period and plans that also provide a carryover.

**Note:** This extension may be problematic for employees who have also contributed to a health savings account (HSA) in 2020. Those with unused 2019 FSA amounts as of the date of the grace period could use those funds to pay for healthcare expenses below the HSA-eligible HDHP deductible amount in 2020, thus making them ineligible to make HSA contributions.

\_\_\_\_\_ with a cafeteria plan year ending on \_\_\_\_\_  
(Company Name) (Month & Year)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**ORDINANCE NO. 117-20**

**AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO MAKE CERTAIN FUND TRANSFERS.**

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

**SEC. 1:** That the Finance Director is hereby authorized to make the following fund transfers:

- \$38,500 from #168 Case Management System Fund to #169 Court Special Projects Fund. (This transfer is part of the Judgement Entry dated June 14, 2017, from Judge Dale Chase – see attached)

**SEC. 2:** That the Clerk of Council is hereby authorized to forward a certified copy of this Ordinance to the Medina County Auditor.

**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**

IN THE MEDINA MUNICIPAL COURT  
MEDINA COUNTY, OHIO

IN RE:  
CASE MANAGEMENT SYSTEM

JUDGMENT ENTRY

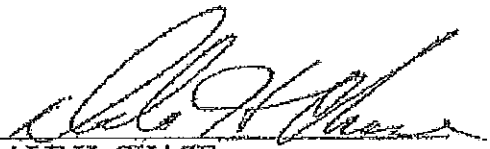
Pursuant to R.C. § 1901.26(B) the Court authorizes the purchase of a case management system and all associated hardware and software from Pioneer Technology Group (1100 Central Park Drive, Suite 100, Sanford, Florida 32771) upon execution of a contract between Pioneer Technology Group and Nancy L. Abbott, Clerk of Court, to be paid from the Medina Municipal Court special projects funds accounts numbers 169-0705 and 168-0705.

Upon receipt of the invoice(s) from Pioneer Technology Group and approval of same by the Clerk of Court, the balance of funds in account 168-0705 as of the end of the month preceding receipt of the invoice(s) shall first be applied to the invoice(s), and thereafter the balance of the invoice(s) shall be paid from account 169-0705.

The total amount paid from account 169-0705 shall be reimbursed to that fund from account 168-0705 in semi-annual payments of the balance in account 168-0705 on June 1 and December 1 of each year beginning June 1, 2018, and continuing until reimbursed in

full.

IT IS SO ORDERED.

  
DALE H. CHASE,  
JUDGE

2017 JUN 14 PM 4:13

FILED  
MEDINA MUNICIPAL COURT

**ORDINANCE NO. 118-20**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH GIS GROUP, LLC FOR GIS ASSET MANAGEMENT SOFTWARE AND SERVICES FOR THE CITY OF MEDINA WATER DEPARTMENT.**

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

**SEC. 1:** That the Mayor is hereby authorized and directed to enter into an agreement with GIS Group, LLC for GIS Asset Management Software and Services for the City of Medina Water Department.

**SEC. 2:** That the funds to cover this expenditure in the estimated amount of \$32,000.00 are available in Account No. 513-0533-52215.

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

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

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

**PASSED:** \_\_\_\_\_

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

**President of Council**

**ATTEST:** \_\_\_\_\_

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

**Clerk of Council**

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

**Mayor**



ORD. 118-20  
Exh. A

**GIS / Asset Management Software and Services**  
*Proposal for*  
**City of Medina (OH) Water Department**  
Expires June 30, 2020

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**Software**

- Unlimited **Water Department** licenses for **one (1) year**
- Unlimited data/digital media storage and back-up
- Unlimited maps and layers
- Unlimited access to all tutorial videos
- Unlimited customer support & future retraining
- Built-in work orders for maintenance tracking
- Built-in text and email notifications
- All future enhancements/updates on existing functionality
- GPS/GNSS receiver Bluetooth capabilities: \$ 12,000.00

**System Updates and Asset Management Support**

- Our GIS technicians will input all **Water** and **Storm** system updates during the first year (including drawing in new assets)
- Assistance with OAC 3745-87 [asset management] compliance: no charge

**Initial Set-Up and Services**

- Upload existing shape file sets, KMZ files and any other assets with GPS data including any public GIS layers
- Creation of asset layer templates with customized attribute fields for each layer
- On-site, video & web training: \$ 3,000.00

**Asset Digitization Services**

- Digitize, upload and geographically reference all existing **Water** and **Storm** utility assets currently on paper maps or other tangible data sources such as spreadsheets
- Projection conversion of all imported assets and data: \$ 17,000.00

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**Total Up-front: \$ 32,000.00**

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\* iamGIS fully guarantees that all data created in &/or stored in our software is fully compatible with Esri ArcGIS and/or any other GIS software that utilizes a geodatabase (.gdb) or shape file (.shp) sets.

---

Company:  
**iamGIS Group, LLC**

Client:  
**City of Medina (OH) Water Department**

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: Tony Shriner

Name: \_\_\_\_\_

Title: President/COO

Title: \_\_\_\_\_

Date: 05/21/2020

Date: \_\_\_\_\_

*Remainder of page intentionally left blank*

**ORDINANCE NO. 119-20**

**AN ORDINANCE AMENDING SECTIONS 31.02(B), 31.05 AND 31.07 OF THE SALARIES AND BENEFITS CODE OF THE CITY OF MEDINA, OHIO RELATIVE TO THE STREET DEPARTMENT, AND ACCEPTING THE JOB DESCRIPTION OF SIGN TECHNICIAN.**

**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 Street Department:

**STREET DEPARTMENT**

| <u>Number</u> | <u>Classification</u>    | <u>Steps Authorized</u> |
|---------------|--------------------------|-------------------------|
| 1             | Street Superintendent    | 15 A-F                  |
| 1             | Street Foreman           | 37 A-F                  |
| 7             | Motor Equipment Operator | 34 A-F per contract     |
| 2             | Laborer                  | 31 A-F per contract     |

(Ord. 241-04, 273-05)

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

**SEC. 1:** That Section 31.02 of the Salaries and Benefits Code of the City of Medina, Ohio shall be amended to read in part as follows with the **addition of NEW Section 31.02(B)(15), pertaining to the Street Department:**

(15) **STREET DEPARTMENT**

|   |                             | <u>Hourly Rate</u> |
|---|-----------------------------|--------------------|
| 1 | Sign Technician (part-time) | per contract       |
| 1 | Laborer (part-time)         | per contract       |

(Ord. 119-20)

**SEC. 2:** 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 Street Department:

**STREET DEPARTMENT**

| <u>Number</u> | <u>Classification</u>              | <u>Steps Authorized</u> |
|---------------|------------------------------------|-------------------------|
| 1             | Street Superintendent              | 15 A-F                  |
| 1             | Street Foreman                     | 37 A-F                  |
| 7             | Motor Equipment Operator           | 34 A-F per contract     |
| 2             | Laborer                            | 31 A-F per contract     |
| <b>1</b>      | <b>Laborer (part-time)</b>         | <b>per contract</b>     |
| <b>1</b>      | <b>Sign Technician (part-time)</b> | <b>per contract</b>     |

(Ord. 241-04, 273-05, 119-20)



**SEC. 3:** That Section 31.07 of the Salary and Benefits Code is hereby amended by accepting the job description of Sign Technician.

**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**

**ORDINANCE NO. 120-20**

**AN ORDINANCE AMENDING SECTION 31.05 AND 31.07 OF THE SALARIES AND BENEFITS CODE OF THE CITY OF MEDINA, OHIO RELATIVE TO THE WATER DEPARTMENT, AND ABOLISHING THE JOB DESCRIPTION OF SYSTEM TESTING TECHNICIAN.**

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

**WATER DEPARTMENT**

| <u>Number</u> | <u>Classification</u>      | <u>Steps Authorized</u> |
|---------------|----------------------------|-------------------------|
| 1             | Water Superintendent       | 16 A-F                  |
| 1             | Water Operations Foreman   | 37 A-F                  |
| 1             | Backflow Coordinator       | 36 A-F                  |
| 2             | Operations Technician      | 35 A-F per contract     |
| 2             | Motor Equipment Operators  | 34 A-F per contract     |
| 1             | Systems Testing Technician | 33 A-F per contract     |
| 2             | Meter Service Technicians  | 32.5 A-F per contract   |
| 1             | Water Technician           | 32.5 A-F per contract   |
| 1             | Laborer                    | 31 A-F per contract     |

Ord. 154-02, 81-09, 75-11, 73-16, 102-20

**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:

**WATER DEPARTMENT**

| <u>Number</u>  | <u>Classification</u>                 | <u>Steps Authorized</u>        |
|----------------|---------------------------------------|--------------------------------|
| 1              | Water Superintendent                  | 16 A-F                         |
| 1              | Water Operations Foreman              | 37 A-F                         |
| 1              | Backflow Coordinator                  | 36 A-F                         |
| 2              | Operations Technician                 | 35 A-F per contract            |
| 2              | Motor Equipment Operators             | 34 A-F per contract            |
| <del>1</del>   | <del>Systems Testing Technician</del> | <del>33 A-F per contract</del> |
| 2              | Meter Service Technicians             | 32.5 A-F per contract          |
| 1              | Water Technician                      | 32.5 A-F per contract          |
| <del>1</del> 2 | Laborer                               | 31 A-F per contract            |

Ord. 154-02, 81-09, 75-11, 73-16, 102-20, **120-20**

**SEC. 2:** That Section 31.07 is hereby amended by **abolishing the job description for Systems Testing Technician.**

**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**

**RESOLUTION NO. 121-20**

**A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF MEDINA, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021 AND SUBMITTING THE SAME TO THE MEDINA COUNTY AUDITOR.**

**WHEREAS:** The Director of Finance has heretofore prepared a tentative tax budget for the City of Medina, Ohio for the fiscal year beginning January 1, 2021 showing detailed estimates of all balances that will be available at the beginning of the year 2021 for the purposes of such year and of all revenues to be received for such fiscal year including all general and special taxes, fees, costs, percentages, penalties, allowances, prerequisites, and all other types or classes of revenues; also estimates of all expenditures or charges in or for the purpose of such fiscal year to be paid or met from the said revenues or balances; and otherwise conforming with the requirements of law; and

**WHEREAS:** The budget has been made conveniently available for public inspection for at least 10 days by having copies thereof on file in the office of the Director of Finance.

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

**SEC. 1:** That the tax budget of the City of Medina, Ohio for the fiscal year beginning January 1, 2021 is hereby adopted as the official tax budget of the City of Medina for the fiscal year beginning January 1, 2021. Copies of the tax budget are on file in the office of the Director of Finance for public inspection.

**SEC. 2:** That the Clerk of Council is hereby authorized and directed to certify a copy of the tax budget and a copy of this Resolution and transmit the same to the Medina County Auditor on or before July 20<sup>th</sup>.

**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**

*Need Attachment*

**RESOLUTION NO. 122-20**

**A RESOLUTION AFFIRMING THAT ALL FUNDS RECEIVED FROM THE COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUND PURSUANT TO H.B. 481 BE EXPENDED ONLY TO COVER COSTS OF THE CITY OF MEDINA, OHIO CONSISTENT WITH THE REQUIREMENTS OF SECTION 5001 OF THE CARES ACT AS DESCRIBED IN 42 U.S.C. 601(d), AND DECLARING AN EMERGENCY.**

**WHEREAS:** The Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and

**WHEREAS:** The Ohio General Assembly established a process for distributing funds provided by the “Coronavirus Aid, Relief, and Economic Security Act” in H.B. 481 of the 133<sup>rd</sup> General Assembly (H.B. 481); and

**WHEREAS:** H.B. 481 requires subdivisions receiving funds under Section 1 of the act, to pass a resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations before receiving said funds; and

**WHEREAS:** The City of Medina is requesting its share of funds from the County Coronavirus Relief Distribution Fund.

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

**SEC: 1:** That Medina City Council affirms that all funds received from the County Coronavirus Relief Distribution Fund pursuant to H.B. 481 be expended only to cover costs of the City of Medina, Ohio consistent with the requirements of Section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations and guidance only to cover expenses that:

- (1) Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- (2) Were not accounted for in [Subdivision Name]’s most recently approved budget as of March 27, 2020; and
- (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

**SEC: 2:** Furthermore, in compliance with H.B. 481, be it resolved by the Council of the City of Medina, Ohio that the Director of Finance take all necessary action to:

- (1) On or before October 15, 2020, pay any unencumbered balance of money in the City of Medina’s local coronavirus relief fund to the County Treasurer;

- (2) On or before December 28, 2020, pay the balance of any money in the City of Medina's local coronavirus relief fund to the state treasury in the manner prescribed by the Director of the Ohio Office of Budget and Management; and
- (3) Provide any information related to any payments received under H.B. 481 to the Director of the Ohio Office of Budget and Management as requested.

**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; 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. 123-20**

**AN ORDINANCE TO APPROVE, ADOPT AND ENACT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO.**

**WHEREAS:** Various ordinances of a general and permanent nature have been passed which should be included in the Codified Ordinances of the City of Medina, Ohio; and

**WHEREAS:** Certain traffic and misdemeanor ordinances should be revised to comply with current State law; and

**WHEREAS:** The codification of such ordinances, together with the new matter to be adopted, the matters to be amended and those to be repealed are before the Council.

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

**SEC. 1:** That the ordinances of the City of Medina, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2020 Replacement Pages to the Codified Ordinances, which are hereby attached to this Ordinance as Exhibit A, are hereby approved and adopted.

**SEC. 2:** The following sections of the Traffic and General Offenses Codes, as amended, are hereby approved and adopted as amended or enacted so as to conform to enactments of the Ohio General Assembly:

**Traffic Code**

|         |                                                                                        |
|---------|----------------------------------------------------------------------------------------|
| 333.03  | Maximum Speed Limits. (Amended)                                                        |
| 335.09  | Display of License Plates or Validation Stickers; Temporary License Placard. (Amended) |
| 335.091 | Operating Without Dealer or Manufacturer License Plates. (Added)                       |
| 337.27  | Drivers and Passengers Required to Wear Seat Belts. (Amended)                          |
| 341.03  | Prerequisites to Operation of a Commercial Motor Vehicle. (Amended)                    |
| 373.03  | Attaching Bicycle to Vehicle. (Amended)                                                |
| 373.14  | Motorized Bicycle Operation. (Amended)                                                 |

**General Offenses Code**

- 513.01 Drug Abuse Control Definitions. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 537.16 Illegal Distribution of Cigarettes, Other Tobacco Products, or  
Alternate Nicotine Products. (Amended)
- 549.01 Weapons Definitions. (Amended)

**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**



**ORDINANCE NO. 124-20**

**AN ORDINANCE AMENDING ORDINANCE NO. 55-17, PASSED APRIL 24, 2017, RELATIVE TO THE TEMPORARY EXTENSION OF THE SUMMER SPECIAL MEMBERSHIP SALES FOR THE 2020 SEASON AT THE MEDINA COMMUNITY RECREATION CENTER, AND DECLARING AN EMERGENCY.**

**WHEREAS:** Ordinance No. 55-17, passed April 24, 2017, authorized Summer Special Memberships to be sold until July 1<sup>st</sup> each year; and

**WHEREAS:** Due to COVID-19 the Recreation Center would like to extend the sale of these memberships until August 1, 2020.

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

**SEC. 1:** That Summer Special Membership sales for the 2020 season at the Medina Community Recreation Center, as authorized in Ordinance No. 55-17, passed April 24, 2017, are hereby extended until August 1, 2020.

**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 that the season is currently underway; 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