

**CITY OF MEDINA
AGENDA FOR COUNCIL MEETING**

July 11, 2022
Medina City Hall – Council Rotunda
7:30 p.m.

Call to Order.

Roll Call.

Reading of minutes. (June 27, 2022)

Reports of standing committees.

Requests for council action.

Reports of municipal officers.

Notices, communications and petitions.

Unfinished business.

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

Introduction and consideration of ordinances and resolutions.

Motion to suspend the Rules requiring three readings on the following ordinances and resolutions: Res. 132-22, Res. 133-22, Ord. 134-22, Ord. 135-22, Res. 136-22, Ord. 137-22, Res. 138-22, Ord. 139-22, Ord. 140-22, Ord. 141-22, Ord. 142-22, Ord. 143-22

Res. 132-22

A Resolution congratulating Austyn Geoffrey Perdue on attaining the rank of Eagle Scout.

Res. 133-22

A Resolution adopting the Tax Budget of the City of Medina, Ohio for the fiscal year beginning January 1, 2023 and submitting the same to the Medina County Auditor.
(emergency clause requested)

Ord. 134-22

An Ordinance authorizing the Mayor to execute a Purchase Agreement for approximately 30.05 acres of land located at 2000 Medina Road, Medina, Ohio; Medina County Permanent Parcel Number 033-12A-03-017. for Medina Municipal Airport expansion and operations.

Ord. 135-22

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

Res. 136-22

A Resolution authorizing the Mayor to apply for American Rescue Plan Act (ARPA) Funding for a First Responder Wellness, Recruitment, Retention and Resiliency Grant for the City of Medina Police Department.

(emergency clause requested)

Ord. 137-22

An Ordinance authorizing the Mayor to execute an agreement between Main Street Medina and the City of Medina for Medina TV Production Services of Main Street Medina Programming.

(emergency clause requested)

Res. 138-22

A Resolution authorizing the Mayor to execute an Economic Development (TREX) Transfer form from the Division of Liquor Control for the property located at 220 N. State Street.

(emergency clause requested)

Ord. 139-22

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the West Smith Reconstruction, Phase 4 Project.

Ord. 140-22

An Ordinance of the Council of the City of Medina, Ohio certifying that when a municipal obligation was incurred sums were lawfully appropriated in the funds to satisfy the obligation and sufficient sums currently exist to satisfy this obligation.

(emergency clause requested)

Ord. 141-22

An Ordinance authorizing the increase of the expenditure to Wintrow Construction Corporation for the emergency repairs to the City Railway.

(emergency clause requested)

Ord. 142-22

An Ordinance amending Chapter 145.03 and the adopted "Appendix A" of the codified ordinances of the City of Medina, Ohio relative to the Historic Preservation Board.

Ord. 143-22

An Ordinance amending Ordinance No. 191-19, passed November 25, 2019, Sections 5.6 and 7.2, the Joint Operating Agreement between the Board of Education of the Medina City School District and the City of Medina, Ohio relative to the Medina Recreation Center.

Council comments.

Adjournment.

MEDINA CITY COUNCIL
Monday, June 27th, 2022

Call to Order:

Medina City Council met in regular session on Monday, June 27, 2022 at Medina City Hall. The meeting was called to order at 7:30 p.m. by Council President John Coyne III, who led in the Pledge of Allegiance.

Roll Call:

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

Also present were the following members of the Administration: Mayor Dennis Hanwell, Keith Dirham, Nino Piccoli, Patrick Patton, Sgt. Marcum, Fire Chief Walters, Andrew Dutton, Jansen Wehrley and Dan Gladish.

Minutes:

Mr. Shields moved that the minutes from the regular meeting on Monday, June 13, 2022, as prepared and submitted by the Clerk be approved, seconded by Mr. Simpson. The roll was called and the motion passed by the yea votes of J. Shields, D. Simpson, R. Haire and J. Hazeltine. J. Coyne, B. Lamb and P. Rose abstained.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated the Finance Committee met prior to this evening's Council meeting and will meet again in two weeks then be on break.

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

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Bill Lamb stated Special Legislation has a committee meeting on June 28th at 5:30 p.m. On the agenda is Government display of flags and Deer Management.

Streets & Sidewalks Committee: Mrs. Haire 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

22-142-6/27 -- Codification Update

22-143-6/27 -- ARPA Funding for Law Enforcement -- Police Dept.

22-144-6/27 -- Medina TV Contract with Main Street Medina

22-145-6/27 -- Amend Chapter 145 -- Historic Preservation Board Member Requirements

22-146-6/27 -- Economic Development Trex Transfer -- Pickleback

22-147-6/27 -- Expenditure - Railroad Liability Insurance

22-148-6/27 -- Amend Ord. 61-22, Cyber Security Liability Insurance

22-149-6/27 -- Amend Ord. 191-19, MCRC Joint Operating Agreement

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- 22-150-6/27 – Expenditure Over \$15,000 – KTS Equipment – Parks Dept.
- 22-151-6/27 – Discussion: Add-Alternate S. Prospect St. Reconstruction
- 22-152-6/27 – Bids, Job #1025 W. Smith Reconstruction, Phase 4
- 22-153-6/27 – Then & Now – Wintrow Construction – Emergency Repairs
- 22-154-6/27 – Amend Chapter 1519.04 Re: Fireworks

Special Legislation Committee

- 22-155-6/27 – Adopt Guidelines for Flying Flags on Government Property
- 22-156-6/27 – Amend Code – 505.11 Hunting Prohibited (Deer Abatement)

Reports of Municipal Officers:

Dennis Hanwell, Mayor,

- A. Band Concerts- Friday night band concerts kicked off June 3. Band concerts will be each Friday night in June and July as well as July 4, at 8:30p, Public Square, weather permitting.
- B. Farmers' Market is back on Square each Saturday am
- C. Square events:
 - a. Twin Sizzler races- July 4th 7 a.m. – 11 a.m.
 - b. Ormaco Opera Under the Stars 7 p.m. – 9 p.m. Sat. July 9th
 - c. Arts week- July 11-15, 12 p.m. -1 p.m., 5 p.m. - 7:30 p.m.
- D. July 3 Fireworks at Dark; July 4th parade at MHS starts 4 p.m. - Register at Mayor's office
- E. Public members interested in city meetings can check website or provide you email to clerk Kathy Patton at kpatton@medinaoh.org
- F. Juneteenth event – Hosted the city's first Juneteenth event Sunday, June 19, from 10 a.m. to 4 p.m. Well attended and very positive comments received. Event was planned with Medina Diversity Committee, Second Baptist Church, and the City of Medina. Title sponsor was Cleveland Clinic/Medina Hospital, Westfield Insurance Foundation was Supporting Sponsor, and Flag Sponsors were Huntington National Bank, United Way of Summit County, & Summa Health. Thankful to Council members Paul Rose, Jess Hazeltine, Dennie Simpson, Regi Haire, and Jim Shields for attending & helping.
- G. Great Race - The Great Race, sponsored by Hemmings Motor News, Hagerty Drivers Club, Reliance Carriers, Inc, and Coker Tire, came to Medina on June 21, 2022. Our Local Sponsors- Huntington Bank, Lloyd's Towing & Service, Cleveland Clinic/Medina Hospital, 3M, Carlisle Brake & Friction, Sandridge Food Corp., Summit Racing, Busy Bee Automotive Repair Center, Homestead Insurance Agency, Rad Air Complete Car Care, Perkins Classic Car, Medina Tax Services, & The Don Williams Garage. Great exposure of our fine community. Thanks to all staff & many, many volunteers. Just notified today that Medina was selected as Best Lunch Stop on Race! Congratulations to all!

Keith Dirham, Finance Director, stated he will address the appropriations when they get there.

Greg Huber, Law Department, had no report.

Lt. Marcum, Police Department, had no report.

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Chief Walters, Fire Department, had no report.

Jansen Wehrley, Parks and Recreation Director, MCRC hosted the Touch a Truck as part of their Party in the Park Series. Over 150 families signed up and over 44 people attended. Grateful for the collaboration and assistance from the Medina PD, Medina Fire and the entire Service Department was represented, the Medina City Schools, Medina County Sheriff and the National Guard for participating. The next Party in the Park is Wednesday, June 29th at Memorial Park for a Pool Party Beach themed from 6 p.m. to 8 p.m. Registration can be done at medinarec.org or from the numerous adds on their Facebook page.

July 3rd – Fireworks Festival returns to the Rec Center and starts at 5 p.m. to 11 p.m.

Dan Gladish, Building Official, reported a property maintenance code enforcement action on the K-Mart building at 1105 North Court St.

- condemned sign posted on building, unsafe entry
- excessive mold growth on interior

This building has been vacant since 2011, currently has an open court case from February 2021.

Estimated exterior and utility repair costs for the existing building exceeds \$400,000.00.

Shopping plaza consists of three separate parcels, K-Mart which is center parcel and is separate from the North and South wings. North and South wings are both owned locally.

Nino Piccoli, Service Director, had no report.

Patrick Patton, City Engineer, update on the bridge replacement on North Broadway. June 24th, they installed the culvert sections and this point going forward it will just be putting the road back together. They anticipate reopening the road by the end of July.

Andrew Dutton, had no report.

Mr. Toth, LST Director, Stated LST hired two part-time paramedics which brings them to full staffing. Through May 2022 total ambulance runs for Medina City was 1,382, through May 2022 for all three entities total ambulance runs were 2,142.

Notices, communications and petitions:

Liquor Permit:

Mr. Shields moved not to object to the issuance of a C-1 and C-2 permit from WJF Investment Corp. dba Medina Marathon 429 S. Court St. to Shoreline Convenience LLC, dba Medina Marathon, 429 S. Court St., Motion seconded by Mr. Simpson and approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb.

Unfinished Business:

There was none.

Introduction of Visitors:

Crystal resides 3546 East Smith Rd. Medina. She explained she is the new Executive Director of Let's Make a Difference. Thanked all for their support of their organization. Let's Make a

Difference strives to create programs and activities to support youth in our community by fostering positive social experiences that help them thrive. Their success relies heavily on supporters in the community such as yourselves. Special shout out to Mayor Hanwell and Barb Dzur for their help as well as members of Let's Make a Difference Board of Trustees.

Tammy Kirby resides at 246 W. Friendship St.

In regards to the deer issue she recommends we do both things we are talking about at the same time such as information and education avenue to try and deter people from feeding the deer and thinning the herd.

Government waste supporters – we are currently up to \$90,000.00 or more by now. This was money spent just to support legal services. Government waste is 0-4.

Hotel discussion is a great idea but 90 plus rooms is not a Boutique Hotel. The site selected isn't appropriate for that size of a building or scale of the project itself and where is the economic justification for that spot for 90 plus rooms. Make sure you listen to the residents!

Great Race – thanks for effort in getting it to come through Medina – Great time and enjoyed.

Introduction and Consideration of Ordinances and Resolutions:

Mr. Shields moved to suspend the rules requiring three readings on the following ordinances and resolutions, seconded by Mr. Simpson. Ord. 125-22, Res. 126-22, Ord. 127-22, Ord. 128-22, Ord. 129-22, Ord. 130-22, Ord. 131-22. The roll was called and the motion passed with the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose.

Ord. 125-22:

An Ordinance amending Ordinance No. 060-22, passed March 28, 2022, relative to the Agreement with Wichert Insurance for the City's Property and General Liability Insurance. This is to amend the original proposal by \$2,163.00. Mr. Shields moved for the adoption of Ordinance/Resolution No. 125-22, seconded by Mr. Simpson. The roll was called and Ordinance/Resolution No. 125-22 passed by the yea votes of D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields.

Res. 126-22:

A Resolution amending Resolution No. 153-21, passed September 13, 2021, Section 1, relative to the Small Cities PY21 Community Development Block Grant (CDBG) Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 126-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 126-22, seconded by Mr. Simpson. Andrew stated these are some reallocations for 2021 CDBG program. The total amount of the grant is \$150,000.00. Emergency requested so those funds can be used this summer. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson. The roll was called and Ordinance/Resolution No. 126-22 passed by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 127-22:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the 2022-2023 Equipment and Asphalt General Paving

Services Program for the Service Department. Mr. Shields moved for the adoption of Ordinance/Resolution No.127-22, seconded by Mr. Simpson. Mr. Piccoli stated this is their annual general paving asphalt services program. The roll was called and Ordinance/Resolution No. 127-22 passed by the yea votes of J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and R. Haire.

Ord. 128-22:

An Ordinance authorizing the Mayor to enter into Task Order #7 to the Agreement with Delta Airport Consultants, Inc. for professional services at the Medina Municipal Airport relative to the Airport Narrative Report and ALP Update. Mr. Shields moved for the adoption of Ordinance/Resolution No. 128-22, seconded by Mr. Simpson. Mr. Patton stated Delta Airport is our airport consultants. One of the steps we need to satisfy for the FAA in order to get repaid for the purchase of the property east of the airport, is to complete an airport layout plan update. 90% of this cost is anticipated to be paid through a Federal grant by the FAA. 5% of the State grant through the ODOT Department of Aviation, and the city will be responsible for 5% of the total cost of this. The roll was called and Ordinance/Resolution No. 128-22 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire and J. Hazeltine.

Ord. 129-22:

An Ordinance authorizing the Law Director to prepare the necessary documentation for the transfer of City Lot 9374, PPN 028-19A-21-391 containing 0.1874 acre of land to the Medina City Development Corporation (CIC).

*****PULLED – NEVER PASSED**

Ord. 130-22:

An Ordinance authorizing the Mayor to enter into a Reimbursement Agreement with the Medina City Development Corporation for the transfer of two parcels known as PPN 028-19A-21-387 and PPN 028-19A-21-391. Mr. Shields moved for the adoption of Ordinance/Resolution No. 130-22, seconded by Mr. Simpson. Mr. Huber stated this agreement was drafted by the attorney who is representing the CIC and it outlines the terms for reimbursement to the city for the ground that is being transferred to the CIC, it is a long-term agreement outlining how that reimbursement will occur. The roll was called and Ordinance/Resolution No. 130-22 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb.

To be added to the Agenda:

Mr. Shields moved to add Ordinance 131-22 to tonight's agenda, seconded by Mr. Simpson. Motion passed by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose.

Ord. 131-22:

An Ordinance amending Ordinance No. 61-22, passed March 28, 2022, relative to the City's Cyber Security Liability Insurance through Jackson Dicken Insurance. Mr. Shields moved for the adoption of Ordinance/Resolution No. 131-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 131-22, seconded by Mr.

Simpson. Mayor Hanwell stated originally in the cyber insurance they covered us for \$1 million for a little over \$20,000 and now they are offering us a second million for a little over \$8,000. The emergency clause is because he needs to sign it by tomorrow since there is a limit as to how long the quote is good for and this will take us until April of next year and it will expire with the rest of the general liability and our hope is if the premiums remain reasonable we will maintain the \$2 million-dollar coverage. The roll was called on adding the emergency clause and was approved by the yeas votes of D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 131-22 passed by the yeas votes of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Council Comments:

Mr. Simpson is grateful to the staff and administration that helped with the Juneteenth celebration and the Great Race. This was great for the City of Medina and the participants. Dennie spoke of some of the controversial issues in our national government with the two supreme court rulings that happened recently. Dennie asked when you have debates since there is much passion on both sides just be kind to one another.

Ms. Haire wished everyone a safe and happy Fourth of July Independence Day. Our Country has made great strides in citizen's rights and her hope for this country is that she and others can continue to make our own individual, independent and personal decisions.

Mrs. Hazeltine wished all a happy and safe Fourth of July. Jessica thanked all that came to the 2nd annual Chalk Walk and picnic event. Attendance increased from 30 people to about 100 people this year. It was so good to see everyone on the square celebrating the diversity that Medina welcomes. She thanked the Medina County Health Department, Out Support and Pride Time, Hope Recovery, and Little Fox Bakery for sponsoring the event. As a mother, as a woman, as an ally and as a human being she believes it is her body and it is her choice. This is not about religion or politics this is about human rights and the basic right to control what happens to your body. Jess stated she will always fight for that and will not give up and not give up on the LGBTQ community as well. She considers herself an advocate for those who don't have a voice and she will always be your voice concerning Roe vs. Wade and the LGBTQ community.

Mr. Rose stated he missed the last Council meeting due to celebrating with his wife their 45th wedding anniversary. Paul also wished his parents a Happy 70th wedding anniversary, and wished everyone a happy Fourth of July.

There being no further business, the meeting adjourned at 8:07 p.m.

Kathy Patton, Clerk of Council

John M. Coyne, President of Council

RESOLUTION NO. 132-22

**A RESOLUTION CONGRATULATING AUSTYN
GEOFFREY PERDUE ON ATTAINING THE RANK OF
EAGLE SCOUT.**

WHEREAS: *Austyn Geoffrey Perdue* is currently a member of Boy Scout Troop 501; and

WHEREAS: As a result of considerable hard work in the areas of citizenship, physical fitness, character and leadership development, *Austyn Geoffrey Perdue* will receive his Eagle Scout award, the highest award attainable in scouting; and

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

SEC. 1: That the Medina City Council hereby commends *Austyn Geoffrey Perdue* for his outstanding contribution to his community and Boy Scout Troop 501 in attaining the prestigious rank of Eagle Scout.

SEC. 2: That a signed copy of this Resolution shall be presented to *Austyn Geoffrey Perdue* in recognition of his hard work and dedication in obtaining this award.

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

RESOLUTION NO. 133-22

A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF MEDINA, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023 AND SUBMITTING THE SAME TO THE MEDINA COUNTY AUDITOR, AND DECLARING AN EMERGENCY.

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, 2023 showing detailed estimates of all balances that will be available at the beginning of the year 2023 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, 2023 is hereby adopted as the official tax budget of the City of Medina for the fiscal year beginning January 1, 2023. 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 20th.

SEC. 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 4: That this Resolution shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason the tax budget must be delivered to the Auditor before July 20, 2022; wherefore, this Resolution shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor



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Medina, Ohio 44250-0703
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www.medinaoh.org

Res. 133-22
Exh. A

To: Council, Mayor

From: Keith H. Dirham, Director of Finance

Re: 2023 Tax Budget

Date: Tuesday, June 28, 2022

Attached is your copy of the Tax Budget. The comparative millages are offered for your review.

	2017	2018	2019	2020	2021	2022	2023
Inside Millage							
General Fund	2.30	2.10	2.10	2.10	2.00	2.10	2.10
Police Pension	0.90	1.10	1.10	1.10	1.20	1.10	1.10
Outside Millage							
Ambulance	2.20	2.20	2.20	2.20	2.20	2.20	2.20
Inside total	3.20	3.20	3.20	3.20	3.20	3.20	3.20

**City of Medina
Schedule A**

Fund (requesting general property Tax)	Requested of Budget Commission	Approved by Budget Commission Inside	Amount Derived from Levies Outside	County Auditor's Estimate of Tax Rate to be Levied	
				Inside	Outside
Government Funds					
General Fund	\$ 1,850,000.00				
Police and Fire Disability Pension	\$ 700,000.00				
Emergency Medical Service	\$ 2,000,000.00				
Fire Bond Retirement	\$ -				
Total All Funds	\$ 4,550,000.00				

City of Medina
General Fund

Exhibit I

Description (1)	Actual		Current Est.	Budget Est
	2020 (2)	2021 (3)	2022 (4)	2023 (5)
Revenues				
Local taxes				
General Property Tax - Real Estate	1,273,199.72	1,215,199.26	1,214,778.00	1,238,940.00
Tangible Personal Property Tax				
Municipal Income Tax	3,834,617.93	4,151,989.09	3,851,000.00	4,611,000.00
Other Local Taxes				
Total Local Taxes	5,107,817.65	5,367,188.35	5,065,778.00	5,849,940.00
Intergovernmental Revenues				
State Shared Taxes and Permits				
Local Government - County and State	509,231.43	600,067.67	411,000.00	411,000.00
Estate Tax	-	-	-	-
Cigarette Tax	2,440.63	945.00	2,700.00	2,700.00
Lodging Tax	1,014.14	941.74	850.00	850.00
Liquor and Beer Permits	13,114.85	62,533.90	25,000.00	25,000.00
Gasoline Tax				
Library and Local Government Support Fund				
Property Tax Allocation	141,725.55	135,156.34	135,222.00	138,000.00
Other State Shared Taxes	223,918.98		150.00	150.00
Total State Shared Taxes and Permits	891,445.58	799,644.65	574,922.00	577,700.00
Federal Grants or Aid		44,073.09		
State Grants or Aid		24,392.07		
Other Grants or Aid				
Total Intergovernmental Revenues	891,445.58	868,109.81	574,922.00	577,700.00
Special Assessments				
Charges for Services	315,195.86	359,125.08	309,500.00	309,500.00
Fines Licenses, and Permits	1,021,373.46	1,250,844.79	1,144,800.00	1,144,800.00
Miscellaneous	722,760.56	480,731.96	406,250.00	406,250.00
Other Financing Sources:				
Proceeds from Sale of Debt				
Transfers		3,116,648.00		
Advances	8,060,828.00	5,327,185.00		
Other Sources		3,939.31	7,500.00	7,500.00
Total Revenue	16,119,421.11	16,773,772.30	7,508,750.00	8,295,690.00

**City of Medina
General Fund**

Exhibit I

Description (1)	2020 (2)	2021 (3)	Current Est. 2022 (4)	Budget Est 2023 (5)
Expenditures				
Security of Persons and Property				
Personal Services				
Travel Transportation				
Contractual Services	194,927.01	167,295.95	199,310.19	203,287.56
Supplies and Materials	25,613.84	21,983.06	26,189.81	26,712.44
Capital Outlay				
Total Security of Persons and Property	220,540.85	189,279.01	225,500.00	230,000.00
Public Health Services				
Personal Services	89,465.41	142,104.85	117,789.49	121,113.49
Travel Transportation				
Contractual Services	13,512.12	21,462.35	17,789.96	18,291.99
Supplies and Materials	33,799.27	53,685.99	44,499.86	45,755.64
Capital Outlay	44,872.42	71,274.35	59,078.69	60,745.88
Total Public Health Services	181,649.22	288,527.54	239,158.00	245,907.00
Leisure Time Activities				
Personal Services				
Travel Transportation				
Contractual Services				
Supplies and Materials				
Capital Outlay				
Total Leisure Time Activities	-	-	-	-
Community Environment				
Personal Services	566,590.31	697,770.73	718,352.00	754,201.00
Travel Transportation				
Contractual Services	140,273.81	172,750.84	177,846.00	186,722.00
Supplies and Materials	22,549.00	27,769.68	28,589.00	30,015.00
Capital Outlay				
Total Community Environment	729,413.12	898,291.25	924,787.00	970,938.00
Basic Utility Services				
Personal Services			1,185.00	1,185.00
Travel Transportation				
Contractual Services				
Supplies and Materials				
Capital Outlay				
Total Basic Utility Services	-	-	1,185.00	1,185.00

City of Medina
General Fund

Exhibit I

Description (1)	Current Est. 2020 (2)	Current Est. 2021 (3)	Current Est. 2022 (4)	Budget Est 2023 (5)
Transportation				
Personal Services				
Travel Transportation				
Contractual Services				
Supplies and Materials				
Capital Outlay				
Total Transportation	-	-	-	-
General Government				
Personal Services	4,276,729.14	4,673,988.71	5,050,388.00	5,192,252.00
Travel Transportation				
Contractual Services	1,226,526.48	1,340,456.86	1,448,405.00	1,489,090.00
Supplies and Materials	605,240.75	661,460.74	714,728.00	734,805.00
Capital Outlay	7,144.45	7,808.09	8,437.00	8,674.00
Total General Government	6,115,640.82	6,683,714.40	7,221,958.00	7,424,821.00
Debt Service				
Redemption of Principal				
Interest				
Other Debt Service				
Total Debt Service	-	-	-	-
Other Uses of Funds				
Transfers	61,000.00	3,117,180.00		
Advances	4,509,419.00	8,424,578.00		
Contingencies				
Other Uses of Funds				
Total Other Uses of Funds	4,570,419.00	11,541,758.00	-	-
Total Expenditures	11,817,663.01	19,601,570.20	8,612,588.00	8,872,851.00
Revenues over/(under) Expenditures	4,301,758.10	(2,827,797.90)	(1,103,838.00)	(577,161.00)
Beginning Unencumbered Balance *	387,454.65	4,689,212.75	1,861,414.85	757,576.85
Ending Cash Fund Balance	4,689,212.75	1,861,414.85	757,576.85	180,415.85
Estimated Encumbrances outstanding at Year End	555,585.71	510,949.00	300,000.00	180,000.00
Estimated Ending Unencumbered Fund Balance	4,133,627.04	1,350,465.85	457,576.85	415.85

* Cash Balance used because estimated expenditures includes PY encumbrances

**City of Medina
Police and Fire Pension Fund
Special Revenue**

Description (1)	Actual		Current Est.	Budget Est
	2020 (2)	2021 (3)	2022 (4)	2023 (5)
Revenues				
Local taxes				
General Property Tax - Real Estate	666,690.16	737,918.28	728,075.00	742,637.00
Tangible Personal Property Tax				
Other Local Taxes	775.19	859.17	847.00	864.00
Total Local Taxes	667,465.35	738,777.45	728,922.00	743,501.00
Intergovernmental Revenues				
State Shared Taxes and Permits				
Property Tax Allocation	74,242.71	81,098.41	81,078.00	82,700.00
Total Intergovernmental Revenues	74,242.71	81,098.41	81,078.00	82,700.00
Other Financing Sources:				
Advances				
Other Sources				
Total Revenue	741,708.06	819,875.86	810,000.00	826,201.00
Expenditures				
Security of Persons and Property				
Personal Services	618,241.39	674,975.94	771,429.00	799,611.00
Contractual Services	14,054.66	17,281.50	19,500.00	19,500.00
Total Security of Persons and Property	632,296.05	692,257.44	790,929.00	819,111.00
Other Uses of Funds				
Advances				
Contingencies				
Other Uses of Funds				
Total Other Uses of Funds	-	-	-	-
Total Expenditures	632,296.05	692,257.44	790,929.00	819,111.00
Revenues over/(under) Expenditures	109,412.01	127,618.42	19,071.00	7,090.00
Beginning Unencumbered Balance	1,326,468.23	1,435,880.24	1,563,498.66	1,582,569.66
Ending Cash Fund Balance	1,435,880.24	1,563,498.66	1,582,569.66	1,589,659.66
Estimated Encumbrances outstanding at Year End	-	-	-	-
Estimated Ending Unencumbered Fund Balance	1,435,880.24	1,563,498.66	1,582,569.66	1,589,659.66

**City of Medina
EMS Fund
Special Revenue**

Description (1)	Actual		Current Est.	Budget Est
	2020 (2)	2021 (3)	2022 (4)	2023 (5)
Revenues				
Local taxes				
General Property Tax - Real Estate	986,038.50	1,677,133.96	1,622,293.00	1,654,739.00
Tangible Personal Property Tax				
Other Local Taxes	1,129.00	1,994.53	1,858.00	1,895.00
Total Local Taxes	987,167.50	1,679,128.49	1,624,151.00	1,656,634.00
Intergovernmental Revenues				
Property Tax Allocation	106,881.88	117,311.43	175,849.00	184,366.00
Other Financing Sources:				
Other Sources				
Total Revenue	1,094,049.38	1,796,439.92	1,800,000.00	1,841,000.00
Expenditures				
Security of Persons and Property				
Personal Services				
Travel Transportation				
Contractual Services	1,333,673.70	1,372,783.84	1,525,850.00	1,578,400.00
Supplies and Materials				
Capital Outlay				
Total Security of Persons and Property	1,333,673.70	1,372,783.84	1,525,850.00	1,578,400.00
Other Uses of Funds				
Transfers				
Total Expenditures	1,333,673.70	1,372,783.84	1,525,850.00	1,578,400.00
Revenues over/(under) Expenditures	(239,624.32)	423,656.08	274,150.00	262,600.00
Beginning Unencumbered Balance	675,219.96	435,595.64	859,251.72	1,133,401.72
Ending Cash Fund Balance	435,595.64	859,251.72	1,133,401.72	1,396,001.72
Estimated Encumbrances outstanding at Year End	150,079.26	127,625.39	225,000.00	225,000.00
Estimated Ending Unencumbered Fund Balance	285,516.38	731,626.33	908,401.72	1,171,001.72

City of Medina
Other Funds (Not Reported on Exhibit I or II)

Exhibit III

Fund	Fund	Est Unenc Fund Bal 1/1/2023	Budget Year Estimated Receipt	Total Avail For Expenditures	Budget Year Expenditures and Encumbrances			Estimated Unenc Bal 12/31/2023
					Personal Services	Other	Total	
Governmental Funds								
Special Revenue Fund Type								
102	Street M & R	972,000.00	1,722,400.00	2,694,400.00	650,000.00	1,064,361.00	1,714,361.00	980,039.00
103	State Highway	319,000.00	137,260.00	456,260.00	45,000.00	56,018.00	101,018.00	355,242.00
104	Parks and Recreation	1,956,000.00	1,258,400.00	3,214,400.00	550,000.00	657,241.00	1,207,241.00	2,007,159.00
105	Local License Fee	1,835,000.00	241,500.00	2,076,500.00	-	269,500.00	269,500.00	1,807,000.00
106	Police Special	8,703,000.00	6,562,000.00	15,265,000.00	4,500,000.00	2,591,032.00	7,091,032.00	8,173,968.00
107	Fire Special	1,282,000.00	1,366,850.00	2,648,850.00	700,000.00	676,428.00	1,376,428.00	1,272,422.00
108	Street M & R Special	11,000,000.00	2,933,500.00	13,933,500.00	-	2,933,365.00	2,933,365.00	11,000,135.00
109	Grants	984,000.00	-	984,000.00	-	-	-	984,000.00
110	ODNR State Grants	195,000.00	-	195,000.00	-	-	-	195,000.00
111	Income Tax	-	-	-	-	-	-	-
112	COPS 1	-	-	-	-	-	-	-
114	COPS 2	-	-	-	-	-	-	-
115	County Local License Fee	192,000.00	61,700.00	253,700.00	-	66,100.00	66,100.00	187,600.00
116	State DARE Grant	5,100.00	-	5,100.00	-	-	-	5,100.00
117	COPS 3 - COPS More	-	-	-	-	-	-	-
118	COPS Universal	-	-	-	-	-	-	-
119	Multi Diversion Program	-	-	-	-	-	-	-
120	COPS More '96	-	-	-	-	-	-	-
121	COPS More '98	-	-	-	-	-	-	-
123	FEMA	-	-	-	-	-	-	-
124	COPS in Schools	-	-	-	-	-	-	-
125	CDBG	46,100.00	170,000.00	216,100.00	-	-	-	216,100.00
127	CHIP Grant	-	650,000.00	650,000.00	-	-	-	650,000.00
128	Court Security Grant	-	-	-	-	-	-	-
129	Ohio Housing Trust	39,500.00	-	39,500.00	-	-	-	39,500.00
130	Open Space 1	33,200.00	-	33,200.00	-	-	-	33,200.00
131	Open Space 2	1,600.00	-	1,600.00	-	-	-	1,600.00
132	Open Space 3	-	-	-	-	-	-	-
133	Open Space 4	-	-	-	-	-	-	-
134	Non-Point Source Grant	-	-	-	-	-	-	-
136	Micro-Enterprise Revolving Loan Fund	-	-	-	-	-	-	-
137	CHIP Revolving Loan Fund	87,900.00	-	87,900.00	-	-	-	87,900.00
138	CDBG-CHIP CFDA 14.2	235,000.00	-	235,000.00	-	-	-	235,000.00
139	HOME-CHIP CFDA 14.2	333,000.00	-	333,000.00	-	-	-	333,000.00
140	Parking	23,400.00	75,000.00	98,400.00	60,000.00	28,136.00	88,136.00	10,264.00
141	Medina Square Lighting	-	-	-	-	-	-	-
143	Economic Development	156,000.00	55,000.00	211,000.00	-	28,000.00	28,000.00	183,000.00

City of Medina
Other Funds (Not Reported on Exhibit I or II)

Exhibit III

Fund	Fund	Est Unenc Fund Bal 1/1/2023	Budget Year Estimated Receipt	Total Avail For Expenditures	Budget Year Expenditures and Encumbrances			Estimated Unenc Bal 12/31/2023
					Personal Services	Other	Total	
144	Cable TV	738,000.00	307,600.00	1,045,600.00	190,000.00	259,891.00	449,891.00	595,709.00
145	Railroad Renovation	300,000.00	100,000.00	400,000.00	20,000.00	70,000.00	90,000.00	310,000.00
147	Airport FAA Grants	366,000.00	300,000.00	666,000.00	-	-	-	666,000.00
148	Airport Land Release Proceeds	-	-	-	-	-	-	-
150	Drug Enforcement Trust	33,500.00	3,500.00	37,000.00	-	-	-	37,000.00
151	Federal Equitable Sharing	24,900.00	-	24,900.00	-	-	-	24,900.00
152	Police Training	24,900.00	-	24,900.00	-	-	-	24,900.00
155	Law Enforcement Trust	25,600.00	5,000.00	30,600.00	-	-	-	30,600.00
158	Sealing of Records	24,000.00	5,000.00	29,000.00	-	-	-	29,000.00
159	Presentence Investigation	144,000.00	30,000.00	174,000.00	-	-	-	174,000.00
160	Computer Legal Research	67,800.00	36,452.00	104,252.00	35,000.00	(842.00)	34,158.00	70,094.00
161	Muni Court Probation Services	75,000.00	110,000.00	185,000.00	80,000.00	35,228.00	115,228.00	69,772.00
162	Court FF&E	89,100.00	-	89,100.00	-	-	-	89,100.00
163	DUI Enforcement	38,500.00	2,500.00	41,000.00	-	-	-	41,000.00
164	Community Service	5,300.00	1,000.00	6,300.00	-	-	1,500.00	4,800.00
165	Indigent Driver Alcohol Treatment	198,000.00	40,600.00	238,600.00	-	70,000.00	70,000.00	168,600.00
166	Indigent Driver Alcohol Monitoring/Interior	280,000.00	40,600.00	320,600.00	-	30,000.00	30,000.00	290,600.00
167	Court Clerk Computer	254,000.00	116,700.00	370,700.00	90,000.00	22,471.00	112,471.00	258,229.00
168	Case Management System	106,000.00	48,700.00	154,700.00	-	50,000.00	47,000.00	107,700.00
169	Court Special Projects	4,344,000.00	210,000.00	4,554,000.00	-	-	-	4,554,000.00
170	Coronavirus Relief	-	-	-	-	-	-	-
171	American Rescue Plan Act	-	-	-	-	-	-	-
174	Rec Center Administration	-	-	-	-	-	-	-
Total Special Revenue		35,537,400.00	16,591,262.00	52,128,662.00	6,920,000.00	8,906,929.00	15,825,429.00	36,303,233.00
Debt Service Fund Type								
204	Recreation Center Debt Service	-	-	-	-	-	-	-
217	General Bond Retirement	-	-	-	-	-	-	-
418	Special Assessment Bond Retirement	463,000.00	-	463,000.00	-	-	-	463,000.00
Total Debt Service		463,000.00	-	463,000.00	-	-	-	463,000.00
Capital Projects Fund Type								
301	General Purpose Capital	1,671,000.00	320,500.00	1,991,500.00	-	284,288.00	284,288.00	1,707,212.00
304	Parks and Recreation Capital	400.00	-	400.00	-	-	-	400.00
307	Fire Capital Replacement	364,000.00	192,300.00	556,300.00	-	40,000.00	40,000.00	516,300.00
329	Capital Projects	191,000.00	-	191,000.00	-	-	-	191,000.00
346	Water Capital Improvement	-	-	-	-	-	-	-

City of Medina
Other Funds (Not Reported on Exhibit I or II)

Exhibit III

Fund	Fund	Est Unenc Fund Bal 1/1/2023	Budget Year Estimated Receipt	Total Avail For Expenditures	Budget Year Expenditures and Encumbrances			Estimated Unenc Bal 12/31/2023
					Personal Services	Other	Total	
380	Issue II Projects Fund	676,000.00		676,000.00		-		676,000.00
381	Street Resurfacing Capital	195,000.00		195,000.00		-		195,000.00
382	Storm Sewer Capital Replacement	68,800.00		68,800.00		-		68,800.00
383	Street Reconstruction Capital	18,300.00		18,300.00		-		18,300.00
384	Black Top Resurfacing	-		-		-		-
385	Curbs and Alleys Capital	-		-		-		-
386	Federal Highway Administration	-		-		-		-
388	Computer/Electronic Capital Replacemen	390,000.00	192,300.00	582,300.00		178,000.00	178,000.00	404,300.00
389	Unanticipated Capital Contingencies	1,032,000.00	64,000.00	1,096,000.00		-		1,096,000.00
428	Special Assessment Projects	2,700.00	27,500.00	30,200.00		10,150.00	10,150.00	20,050.00
Total Capital Projects		4,609,200.00	796,600.00	5,405,800.00		512,438.00	512,438.00	4,893,362.00
Proprietary Funds								
Enterprise Funds								
513	Water	2,697,000.00	4,884,450.00	7,581,450.00	1,500,000.00	3,688,864.00	5,188,864.00	2,392,586.00
514	Sanitation	1,973,000.00	3,425,000.00	5,398,000.00	1,500,000.00	2,255,808.00	3,755,808.00	1,642,192.00
546	Water Capital Improvement	318,000.00	691,500.00	1,009,500.00		541,400.00	541,400.00	468,100.00
547	Airport	480,000.00	107,500.00	587,500.00		92,000.00	92,000.00	495,500.00
574	Recreation Center Administration	2,256,000.00	2,213,800.00	4,469,800.00	1,500,000.00	858,787.00	2,358,787.00	2,111,013.00
575	MCRC Capital	166,000.00	100,000.00	266,000.00		100,000.00	100,000.00	166,000.00
582	Stormwater Utility	52,100.00		52,100.00		-		52,100.00
Total Enterprise		7,942,100.00	11,422,250.00	19,364,350.00	4,500,000.00	7,536,859.00	12,036,859.00	7,327,491.00
Internal Service Funds								
616	125 Plan Fund	31,600.00	50,000.00	81,600.00		55,000.00	55,000.00	26,600.00
625	Payroll	69,100.00	16,000,000.00	16,069,100.00		15,632,000.00	15,632,000.00	437,100.00
637	Agency	160,000.00	336,150.00	496,150.00		345,600.00	345,600.00	150,550.00
676	Automotive Mechanics Revolving Fund	78,000.00	420,000.00	498,000.00	350,000.00	131,209.00	481,209.00	16,791.00
Total Internal Service		338,700.00	16,806,150.00	17,144,850.00	350,000.00	16,163,809.00	16,513,809.00	631,041.00

City of Medina
Other Funds (Not Reported on Exhibit I or II)

Exhibit III

Fund	Fund	Est Unenc Fund Bal 1/1/2023	Budget Year Estimated Receipt	Total Avail For Expenditures	Budget Year Expenditures and Encumbrances			Estimated Unenc Bal 12/31/2023
					Personal Services	Other	Total	
Fiduciary								
Trust and Agency Funds								
722	Water Meter Deposits	3,000.00		3,000.00				3,000.00
723	Developer Deposits	254,000.00	20,000.00	274,000.00		17,000.00	17,000.00	257,000.00
736	Friends of the Cemetery	4,100.00	750.00	4,850.00		-		4,850.00
739	Tricentennial Savings	8,500.00	200.00	6,700.00		-		6,700.00
741	Utility Deposit	140,000.00	35,000.00	175,000.00		30,000.00	30,000.00	145,000.00
743	Shade Tree Trust	10,900.00	250.00	11,150.00		-		11,150.00
819	Cemetery Endowment	12,600.00	100.00	12,700.00		1,500.00	1,500.00	11,200.00
820	Cemetery Investment	992,000.00	50,100.00	1,042,100.00		5,000.00	5,000.00	1,037,100.00
821	Cemetery Mausoleum	34,100.00	4,600.00	38,700.00		-		38,700.00
901	Unclaimed Monies	55,300.00	15,000.00	70,300.00				70,300.00
902	Bicentennial Committee	11,100.00		11,100.00				11,100.00
924	Law Library	31,600.00	70,000.00	101,600.00		65,000.00	65,000.00	36,600.00
938	Bid and Performance Bond	81,400.00	105,000.00	186,400.00		100,000.00	100,000.00	86,400.00
939	Ohio Board of Building Standards	20,800.00	15,000.00	35,800.00		14,500.00	14,500.00	21,300.00
975	Planning and Zoning Deposits	300.00		300.00		-		300.00
Total Trust and Agency		1,657,700.00	316,000.00	1,973,700.00	-	233,000.00	233,000.00	1,740,700.00
Total for Memorandum Only		50,548,100.00	45,832,262.00	96,480,362.00	11,770,000.00	33,353,035.00	45,121,535.00	51,358,827.00

City of Medina
General Obligation Debt Outstanding

Exhibit W

Purpose of Issue	Authority for Outside	Date of Issue	Date Due	Ordinance or Resolution	Serial or Term	Rate of Interest	Amount Outstanding at 1-Jan-23	Amount Required for Principal and Interest Jan 1, 2023-Dec 31, 2023	Amount Receivable from Other Sources to Meet Debt Payments Jan 1, 2023-Dec 31, 2023
Payable from Bond Retirement Fund:									
INSIDE 10 MILL LIMIT									
Water Improvement - OWDA via County		6/24/2005	1/1/2023		S	2.33%	\$ 59,832.44	\$ 61,223.54	Water Enterprise Fund
Water Improvement Refunding		12/29/2010	12/1/2026	193-10	S	variable	\$ -	\$ -	Water Enterprise Fund - 2
General Capital Improvement		11/28/2012	12/1/2032	165-12	S	variable	\$ 655,000.00	\$ 76,387.50	General Capital Improvement Fund
Water Improvement Refunding		11/28/2012	12/1/2022	157-12	S	variable	\$ -	\$ -	Water Enterprise Fund - 1
Recreation Center - Prepaid Rent Refunding		11/28/2012	12/1/2022	157-12	S	variable	\$ -	\$ -	Rec Ctr Enterprise / Rec Ctr Debt Service - 1
Street Improvement - Refunding		6/13/2013	12/1/2031	83-13	S	variable	\$ -	\$ -	Street Improvement Fund - 2
General Capital Improvement - Refunding		6/13/2013	12/1/2031	83-13	S	variable	\$ -	\$ -	General Capital Improvement Fund - 2
Water Improvement - Refunding		6/13/2013	12/1/2031	83-13	S	variable	\$ -	\$ -	Water Enterprise Fund - 2
Water Improvement - Refunding		9/29/2021	12/1/2026	71-21	S	variable	\$ 1,465,000.00	\$ 389,300.00	Water Enterprise Fund
Water Improvement Refunding		9/29/2021	12/1/2031	71-21	S	variable	\$ 495,000.00	\$ 62,750.00	Water Enterprise Fund
General Capital Improvement - Refunding		9/29/2021	12/1/2031	71-21	S	variable	\$ 1,245,000.00	\$ 171,600.00	General Capital Improvement Fund
Street Improvement - Refunding		9/29/2021	12/1/2031	71-21	S	variable	\$ 4,415,000.00	\$ 602,750.00	Street Improvement Fund
Street Improvement		9/29/2021	12/1/2040	72-21	S	variable	\$ 7,045,000.00	\$ 544,300.00	Street Improvement Fund
TOTAL							\$ 15,379,832.44	\$ 1,908,511.04	
1 to be paid off in 2022									
2 refinanced after 2022 tax budget									

ORDINANCE NO. 134-22

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE AGREEMENT FOR APPROXIMATELY 30.05 ACRES OF LAND LOCATED AT 2000 MEDINA ROAD, MEDINA, OHIO; MEDINA COUNTY PERMANENT PARCEL NUMBER 033-12A-03-017 FOR MEDINA MUNICIPAL AIRPORT EXPANSION AND OPERATIONS.

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

SEC. 1: That the Mayor is hereby authorized to execute a Purchase Agreement for approximately 30.05 acres of land located at 2000 Medina Road, Medina, Ohio; Medina County Permanent Parcel Number 033-12A-03-017, for Medina Municipal Airport expansion and operations.

SEC. 2: That a copy of the Purchase Agreement is marked Exhibit A, attached hereto and incorporated herein, and is subject to the Law Director's final approval.

SEC. 3: That the funds to cover this purchase, not to exceed \$575,000.00 (includes undetermined fees per contract), are available in Account No. 301-0707-54411.

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. 134-22
Ryh. A

PURCHASE AGREEMENT

THIS AGREEMENT is entered into by and between **Dave McCarthy the Liquidating Trustee per Order of the Medina County Court of Common Pleas Order in Case No. 18CIV0342** of Rea & Associates, 694 E. Washington Street, Medina, OH 44256 (hereinafter referred to as the "Seller"), and **City of Medina** of 135 N. Elmwood Street, Medina, OH 44256 (hereafter referred to as the "Buyer").

1. In consideration of the mutual promises herein contained, Seller agrees to sell and convey and Buyer agrees to buy and pay for, in accordance with the terms and conditions of this contract, being approximately 30.05 acres located at 2000 Medina Road, Medina, Ohio including all land, buildings, improvements, fixtures, appurtenant rights and easements, located thereon, having Parcel Number 033-12A-03-017 and legal description as attached hereto and referred to as Exhibit "A", all hereinafter being referred to as "Property".
2. Buyer agrees to pay for the Property the sum of Five Hundred Fifty Thousand and 00/100 Dollars (**\$550,000.00**). The purchase price shall be as follows:
 - a. The sum of **\$1,000.00** to be deposited with the Escrow Agent as a earnest money and shall be applied toward the purchase price at the closing; and
 - b. The balance of the purchase price, **\$549,000.00** shall be deposited with the Escrow Agent prior to the closing in the form of an electronic transfer of funds from the Buyer's bank or financial institution.
3. Seller agrees to convey marketable title by Trustee's deed free and clear of all mortgages or liens created by the Seller except easements and rights of ways of record, leases, restrictions and conditions of record, if any, zoning ordinances and real estate taxes for the current year and thereafter.
4. An Owner's fee policy of Title Insurance in the amount of the purchase price shall be issued to the Buyer. If any defect in title is discovered prior to the time of the closing and if it is not waived in writing by Buyer, Seller shall have a reasonable extension of time for closing, but in no event more than thirty (30) days from the date Seller is notified of the defect, for removal of said defect.
5. All real estate taxes shall be prorated in escrow, as of the date of title transfer. In prorating taxes, the amount assessed by the Medina County Auditor on the latest available tax duplicate shall be used.

6. The Escrow Agent shall charge to Seller and pay out of the purchase price:
- a. one-half the Escrow fee;
 - b. one-half the cost of the Owner's Title Insurance premium;
 - c. the cost of the title examination;
 - d. amount due Buyer by reason of proration;
 - e. the payment of any lien incurred by the Seller;
 - f. the preparation of the Trustee's deed and expenses incurred by the Seller; and
 - g. the commission due to the Broker under its listing agreement.

The Escrow Agent shall charge to Buyer:

- a. one-half the Escrow fee;
- b. one-half the cost of the Owner's Title Insurance premium;
- c. the cost of a title commitment;
- d. any inspections or appraisals completed by Buyer;
- e. the recording fees for the deed; and
- f. any legal fees/expenses of the Buyer.

7. The parties hereby designate, **Transfer Title Agency, Inc.** a policy issuing agent of Chicago Title Insurance Company whose address is: 748 North Court Street, Medina, Ohio 44256, (330) 725-4214 to be the Escrow and Title Agent for this transaction subject to its Standard Conditions and Acceptance of Escrow.

8. All documents and funds necessary for the completion of this transaction shall be placed in escrow on or before **ninety (90) days from the date of this agreement**. Closing shall take place on or about ninety (90) days from the date of this agreement. Buyer agrees to deliver possession of the premises.

9. Seller represents and warrants to Buyer that:

- (a) Seller has been appointed by the Medina County Common Pleas Court as a Liquidating Trustee in Case Number 18CIV0342 and has the authority to execute this Agreement and perform the obligations of Seller under this Agreement. This Agreement constitutes a legal, valid and binding obligation of Buyer. All action necessary to authorize the execution, delivery and performance of this Agreement by Seller has been taken and such action. If requested by Buyer, Seller shall provide Buyer with a copy of such authorization, certified from the Court;
- (b) Seller is not subject to any judgment or decree of a court of competent jurisdiction or governmental agency that would limit or restrict Seller's right to enter into and carry out this Agreement;

10. Buyer represents and warrants to Seller that:

- (a) Buyer has the capacity and authority to execute this Agreement and perform the obligations of Buyer under this Agreement. This Agreement constitutes a legal, valid and binding obligation of Buyer. All action necessary to authorize the execution, delivery and performance of this Agreement by Buyer has been taken and such action has not been rescinded or modified. If requested by Seller, Buyer shall provide Seller with a copy of such authorization, certified by a representative of Buyer;
- (b) Buyer is not subject to any judgment or decree of a court of competent jurisdiction or governmental agency that would limit or restrict Buyer's right to enter into and carry out this Agreement;
- (c) Buyer has completed or waived all inspections of the Property including any right to receive the "Residential Property Disclosure Form" and information regarding Lead Based Paint. Buyer is purchasing the property for future development use and is not purchasing the home for residential purposes as the residence may or may not be habitable.

11. The Parties agree this sale is made and will be made without representations, covenants, and warranties of any kind, whether expressed or implied by the Seller. As a material part of the consideration for this Agreement, the Buyer agrees to take and accept this property on an "AS IS" and "WHERE IS" basis with all the faults, latent and patent. No warranty or representation is made by Seller as to the (a) fitness for any particular purpose, (b) merchantability, (c) condition, (d) absence of defects, or (e) compliance with laws and regulations including safety and the environment.

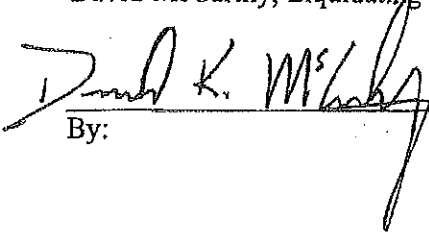
12. Seller represent Hoff and Leigh is the broker representing the Seller and commissions due in accordance to its listing agreement will be paid at closing. Any other fees which may be due to the Buyer's representative will be paid by the Buyer.

13. This contract shall be governed by the laws of the State of Ohio. The covenants, conditions, and agreements herein shall be binding upon each of the parties hereto, and their respective heirs, devisees, executors, administrators, successors and assigns, and shall be deemed to contain all their terms and conditions agreed upon, it being agreed that there are no outside conditions, representations, warranties, or agreements. **TIME IS OF THE ESSENCE** as to the dates and performance of this Agreement. The terms and conditions to be performed by the Seller shall survive the delivery and acceptance of the deed. Any portion of this contract declared invalid by law will not void the remainder of this contract. This Agreement may be signed in counterparts which will comprise the full Agreement.

14. The legal descriptions of the real estate are attached hereto are incorporated into this agreement.

SELLER

David McCarthy, Liquidating Trustee


By: _____

Sellers' Address:
694 E. Washington Street
Medina, OH 44256

Phone # 330-669-0227
Email: Dave.McCarthy@reapco.com

dated: 6-22-2022

Prepared for Seller by:
Lee Skidmore, Esq.

BUYER

City of Medina

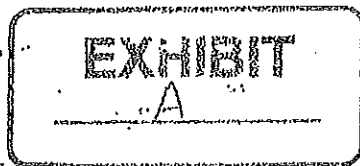
by: _____
Its: _____

Buyers' Address:
135 N. Elmwood St.
Medina, OH 44256

Phone # _____
Email: _____

dated: _____

Exhibit "A"
Legal Description



situated in the Township of

Beginning at the intersection of Beach Road (T.H. 54) and Medina Road (S.H. 18); thence Westerly in the center of Medina Road (S.H. 18) a distance of 784.93 feet to a point; thence south a distance of 50 feet to a point in the south right of way line of Medina Road (S.H. 18), said point being in the northwest corner of a 5.824 acre parcel now or formerly owned by Spectrum Rental Management Inc. (OR 905-839 02/03/94) and the true place of beginning; thence south an approximate distance of 3881.40 feet to the south line of Lot 3; thence westerly along the south line of Lot 3 to the southeast corner of a 237.4639 acre parcel now or formerly owned by the City of Medina (OR 406-472 10/20/87); thence north along the east line of said City of Medina parcel to a point in the northeast corner thereof, said point being in the south right of way line of Medina Road (S.H. 18) a distance of 484.19 feet to the place of beginning and containing within said boundaries 37.2540 acres more or less, but subject to all legal highways. **thence East*

EXCEPTING THEREFROM THE FOLLOWING: Situated in the Township of Sharon, County of Medina and State of Ohio: and known as being part of Sharon Township Lot 3, being further bounded and described as follows:

Beginning at the southeast corner of Sharon Township Lot 3, said point being in the centerline of Beach Road, T.H. 54, 60 feet wide, thence S. 89° 51' 14", along the southerly line of said Lot 3, 780.78 feet to a point; Thence N. 0° 04' 17" E., 1840.25 feet to the principal place of beginning of the parcel described herein; thence N 89° 52' 03" W., 486.51 feet to a point; thence N. 0° 07' 57" E., 644.92 feet to a point; thence S. 89° 52' 03" E., 485.82 feet to a point; thence S. 0° 04' 17" W., 644.92 feet to the principal place of beginning and containing therein 7.1979 acres of land as surveyed in January, 1989, by Thomas A. Cunningham, Registered Surveyor No. 5274. *** Intending to convey, after said exception, 30.0514 acres*

Permanent Parcel No(s): 033-12A-03-017

ORDINANCE NO. 135-22

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 2022 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:

Administrative Code

101.03 Rules of Construction. (Amended)

Traffic Code

303.082 Private Tow-Away Zones. (Amended)
303.083 Impounding Vehicles on Public Property. (Added)
331.211 Report of Vehicle Failing to Yield Right of Way to Public Safety Vehicle.
(Amended)
333.03 Maximum Speed Limits. (Amended)
335.02 Permitting Operation Without Valid License; One License Permitted.
(Amended)
335.021 Ohio Driver's License Required for In State Residents. (Amended)
335.09 Display of License Plates or Validation Stickers; Temporary License Placard.
(Amended)
371.13 Operation of Personal Delivery Device on Sidewalks and Crosswalks. (Added)

General Offenses Code

- 513.15 Sale of Dextromethorphan. (Added)
- 517.01 Gambling Definitions. (Amended)
- 517.02 Gambling. (Amended)
- 517.06 Methods of Conducting a Bingo Game; Prohibitions. (Amended)
- 517.08 Raffles. (Amended)
- 517.09 Charitable Instant Bingo Organizations. (Amended)
- 517.11 Bingo or Game of Chance Records. (Amended)
- 517.13 Bingo Exceptions. (Amended)
- 517.14 Instant Bingo Conduct by a Veteran's or Fraternal Organization. (Amended)
- 517.15 Skill-Based Amusement Machines. (Amended)
- 517.16 Electronic Instant Bingo; Prohibited Conduct. (Added)
- 525.13 Interfering with Civil Rights. (Amended)
- 529.01 Liquor Control Definitions. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 537.22 Hazing Prohibited. (Added)
- 545.03 Property Exceptions as Felony Offense. (Amended)
- 545.09 Passing Bad Checks. (Amended)

Fire Prevention Code

- 1519.01 Fireworks Definitions. (Amended)
- 1519.05 Application. (Amended)
- 1519.06 Safety Requirements for Fireworks Showroom Structures. (Added)

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

RESOLUTION NO. 136-22

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR AMERICAN RESCUE PLAN ACT (ARPA) FUNDING FOR A FIRST RESPONDER WELLNESS, RECRUITMENT, RETENTION & RESILIENCY GRANT FOR THE CITY OF MEDINA POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

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

SEC. 1: That the Mayor is hereby authorized and directed to apply for American Rescue Plan Act (ARPA) Funding with the Ohio Emergency Management Agency for a First Responder Wellness, Recruitment, Retention & Resiliency Grant for the Medina City Police Department.

SEC. 2: That if the Grant is awarded to the City of Medina Police Department, the Mayor is authorized to accept the grant and execute any and all documentation associated with said grant.

SEC. 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 4: That this Resolution shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason the grant was due on June 17, 2022; wherefore, this Resolution shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

ORDINANCE NO. 137-22

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN MAIN STREET MEDINA AND THE CITY OF MEDINA FOR MEDINA TV PRODUCTION SERVICES OF MAIN STREET MEDINA PROGRAMMING, AND DECLARING AN EMERGENCY.

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

SEC. 1: That the Mayor is hereby authorized and directed to execute an Agreement between Main Street Medina and the City of Medina for Medina TV production services of Main Street Medina programming.

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

SEC. 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 4: That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to begin work as soon as possible as Main Street has events of the summer calendar, 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

AGREEMENT

ORD. 137-2a
Exh. A

This Agreement made on the _____ day of _____, 2022, between the **CITY OF MEDINA**, a municipal corporation, having its principle place of business at 132 North Elmwood Avenue, Medina, Ohio 44256, and **MAIN STREET MEDINA**, a body, having its principle place of business at 39 Public Square, Suite 305, Medina, Ohio 44256, in consideration of the mutual covenants and agreements set forth below, the parties agree as follows:

1. **Background.** The City of Medina manages television programming known as Medina TV; local government access is provided by Medina TV as a result of television broadcasting of local government meetings and other television programming that involves local government officials, government employees, and other issues related to local government. The City of Medina and Main Street Medina wish to enter into agreement for photography and video services of local events involving Main Street Medina. Medina TV is currently in a position to provide these services to Main Street Medina so as to broaden MedinaTV and the scope of their work.

2. **Scope of Service.** The City of Medina and Medina TV agree to provide staff for the benefit of the Main Street Medina so as to photograph and videotape Main Street Medina events. Medina TV will provide the staff and the equipment necessary to complete the video and photographs of Main Street events. MedinaTV will provide copies of photos and video for use by Main Street Medina in advertising and promotions.

3. **Compensation.** As compensation for services rendered by the City of Medina and Medina TV pursuant to this Agreement, Main Street Medina agrees to pay to Medina TV personnel an hourly rate of one hundred and four dollars (\$104) per hour for each hour that Medina TV staff work in the taping, editing, and production of Main Street Medina events. The One hundred and four dollar (\$104) per hour charge shall also apply to any additional programming and production services associated with Main Street Medina

There may be an additional equipment use rate assessed for services rendered pursuant to this Agreement dependent upon the scope of work requested by Main Street Medina. The additional equipment use rate shall be agreed upon, in writing, in advance by the City of Medina and Main Street Medina.

4. **Term.** The term of this Agreement shall commence on the date of the signing of this Agreement and terminate within a period of one (1) year after the date of the signing of this Agreement.

5. **Termination.** This Agreement may be terminated by either party upon ninety (90) days' written notice to the other party. Termination shall not prejudice any remedy that the terminating party may have at law or in equity.

6. **Effect of Termination upon Compensation.** If this Agreement is terminated prior to the completion of the term specified in this Agreement, the City of Medina shall be entitled to compensation earned prior to the date of termination as provided for in this Agreement

completed upon a pro rata basis. The City of Medina shall be entitled to no further compensation as of the date of termination.

7. **Agreement Review.** This Agreement will be evaluated on a yearly basis by the City of Medina, Main Street Medina, and Medina TV. Any alterations to this Agreement shall be discussed and completed in writing as necessary. This Agreement may be renewed upon written agreement of the parties.

Signed and acknowledged by the parties hereto the day and year first above written.

CITY OF MEDINA, OHIO

By: _____
DENNIS HANWELL, Mayor

MAIN STREET MEDINA, OHIO

By: _____
GEORGE SAM, Executive Director, Main Street Medina

By: _____
ERIC STASIEWSKI, Executive Officer, Main Street Medina

Approved as to Form and Correctness:

GREGORY A. HUBER
Law Director, City of Medina

RESOLUTION NO. 138-22

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN ECONOMIC DEVELOPMENT (TREX) TRANSFER FORM FROM THE DIVISION OF LIQUOR CONTROL FOR THE PROPERTY LOCATED AT 220 N. STATE STREET, AND DECLARING AN EMERGENCY.

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

SEC. 1: That the Mayor is hereby authorized to execute an Economic Development (TREX) Transfer Form from the Ohio Department of Commerce – Division of Liquor Control for the property located at 220 N. State Street, Medina (Pickleback, LLC).

SEC. 2: That a copy of the Economic Development (TREX) Transfer Form is marked Exhibit A, attached hereto and incorporated herein.

SEC. 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 4: That this Resolution shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to secure the permit in a timely manner; wherefore, this Resolution shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor



ECONOMIC DEVELOPMENT (TRES) TRANSFER FORM Res. 138-22

Ohio Revised Code 4303.29 allows for the transfer of location or the transfer of ownership and location of a C-1, C-2, D-1, D-2, D-3, or D-5 permit from a municipal corporation or the unincorporated area of a township to an economic development project located in another municipal corporation or the unincorporated area of another township in which no additional permits of that class may be issued to the applicant under the permit quota. However the transfer may occur only if the applicant notifies the municipal corporation or township to which the location of the permit will be transferred regarding the transfer and the municipal corporation or township acknowledges in Section B of this form OR in writing to the Division of Liquor Control, that the transfer will be to an economic development project. A permit may be transferred to a different owner at the same location, or to the same owner at a different owner at a different location in the same municipal corporation or in the unincorporated area of the same township. NOTE: The statute requires the applicant to provide the endorsement by the municipal corporation or township at the time the application for the transfer is filed with the division, therefore once Section B is completed return this form to the applicant so they may attach this information to their transfer application. NO fee required.

Seller - Current Permit Holder - (Individual, Corp., LLC or Partnership)

Sweet Carrot Grandview LLC

Buyer - Prospective Permit Holder-(Individual, Corp., LLC or Partnership)

Name: Pickleback LLC

Address: 220 N. State Street

Medina OH 44256

Permit Number: 8735832-0005

Check Class of Permits Being TRES Transferred:

C-1 C-2 C-2X D-1 D-2 D-2X D-3 D-3A D-3X D-5 D-6

SECTION A: (To Be Completed by the Applicant)

NOTE: Section A is for you to provide information to the local legislative authority (City, Village or Township Office) in which this Economic Development Project (TRES) will be located. In addition to the below information, you may be required to provide a projected earnings statement (brand new business), or a profit and loss statement (existing business), and a copy of building plans/drawings outlining any construction plans. The Division will also use this information to determine if you qualify and meet the criteria outlined under Section 4303.29(B)(2)(b).

1. The total amount invested in this project is \$ 120,000

2. The total number of jobs that will be created by this economic development project is 10-12

3. Existing or Estimated Tax Revenue generated by this project is:
(Type or print on the lines provided the type of tax & amount; i.e., Sales Tax, Property Tax, Unemployment Tax, etc.)

Sales Tax \$ 35,000

State Withholding Tax \$ 15,000

Ohio Unemployment Tax \$ 5,000

\$ _____

On behalf of the applicant as indicated above I am signing below and certifying that all the information provided with this application is complete and accurate to the best of my knowledge.

DAVID TEREK

Print or Type Name

Signature 

6/20/22

Date

330-461-4042

Phone Number

REPRESENTATIVE

Title

SECTION B: The applicant must have this section completed by the City, Village or Township Office in which this Economic Development Project (TRES) will be located. **This form must be returned to the applicant to accompany the transfer application.**

Based upon factors outlined above, the City, Village or Township of _____ hereby endorses and acknowledges that this transfer will be to an economic development project.
(City, Village or Township Name)

Print or Type Name

Signature of Mayor, Legislative Office Holder or Law Director

Date

Phone Number

Title (e.g., Mayor, Clerk of Council, Fiscal Officer or Law Director)

ORDINANCE NO. 139-22

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR COMPETITIVE BIDS AND TO AWARD A CONTRACT TO THE SUCCESSFUL BIDDER FOR THE WEST SMITH RECONSTRUCTION, PHASE 4 PROJECT.

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

SEC. 1: That the Mayor is hereby authorized and directed to advertise for competitive bids and to award a contract to the successful bidder for Job #1025, the West Smith Reconstruction, Phase 4 project, in accordance with plans and specifications on file in the office of the Mayor.

SEC. 2: That the estimated cost of the project, in the amount of \$5,096,000.00, is available as follows: \$3,049,500.00 in Account No. 108-0676-54414, and \$2,046,590.00 in Account No. 386-0676-54414.

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. 140-22

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MEDINA, OHIO, CERTIFYING THAT WHEN A MUNICIPAL OBLIGATION WAS INCURRED SUMS WERE LAWFULLY APPROPRIATED IN THE FUNDS TO SATISFY THE OBLIGATION AND SUFFICIENT SUMS CURRENTLY EXIST TO SATISFY THIS OBLIGATION, AND DECLARING AN EMERGENCY.

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

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

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

SEC. 1: That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director's certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.

SEC. 2: That the Finance Director is authorized to draw warrants for the payment of Invoices #27029, #27030, and #27032 totaling \$25,072.34 to Wintrow Construction Corporation for three emergency repairs of the City railway from Account No. 145-0630-54411.

SEC. 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 4: That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason because of the immediate need for the authorization of expenditures, this Resolution shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

ORDINANCE NO. 141-22

AN ORDINANCE AUTHORIZING THE INCREASE OF THE EXPENDITURE TO WINTROW CONSTRUCTION CORPORATION FOR THE EMERGENCY REPAIRS TO THE CITY RAILWAY, AND DECLARING AN EMERGENCY.

WHEREAS: The Engineering Department has requested to increase Purchase Order #2022-1083 from \$15,000.00 to \$40,072.34, which requires the Council's approval; and

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

SEC. 1: That the increase to Purchase Order #2022-1083 from \$15,000 to \$40,072.34 is hereby authorized for the Engineering Department.

SEC. 2: That the funds to cover this expenditure are available in Account No. 145-0630-54411.

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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason the repairs were completed on an emergency basis; 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. 142-22

AN ORDINANCE AMENDING CHAPTER 145.03 AND THE ADOPTED "APPENDIX A" OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO RELATIVE TO THE HISTORIC PRESERVATION BOARD.

WHEREAS: That Chapter 145, Section 145.03 of the codified ordinances of the City of Medina, Ohio presently reads as follows:

145.03 BOARD MEMBERSHIP.

The Historic Preservation Board shall consist of five members who shall demonstrate a special interest, knowledge, or training in preservation, architecture, history, planning, conservation, landscape architecture, archeology, urban design or closely related field as follows:

- (a) Two (minimum) preservation related professional or academic members to the extent that they are available;
- (b) Two property or business owners from within the district;
- (c) One resident of the City.

Members shall be residents of the City of Medina; professional or academic members may include non-residents if no qualified residents are available. Members shall be appointed by the Mayor and approved by Council and shall serve for four-year terms. Members shall elect a Chair and Vice Chair, each to serve a one-year term. A staff member or designee of the Planning Department shall act as the Board Secretary.

(Ord. 179-21. Passed 12-13-21.)

WHEREAS: That Section 145.03 "Appendix A" (9), the Procedural Manual for Historic Preservation Board of the codified ordinances of the City of Medina, Ohio presently reads as follows pertaining to Quorum:

**APPENDIX A
Procedural Manual for Historic Preservation Board**

9. QUORUM.

A majority of the Board shall constitute a quorum, and such quorum shall be capable of conducting any business before the Board. However, an affirmative vote by a majority of the quorum is necessary to act on an application.

WHEREAS: That the Historic Preservation Board reviewed and approved the proposed amendments at their regular meeting on June 9, 2022.

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

SEC. 1: That Chapter 145, Section 145.03 of the codified ordinances of the City of Medina, Ohio shall be amended to read as follows:

145.03 BOARD MEMBERSHIP.

The Historic Preservation Board shall consist of five Regular mMembers who shall demonstrate a special interest, knowledge, or training in preservation, architecture, history, planning, conservation, landscape architecture, archeology, urban design or closely related field as follows:

- (a) Two (~~minimum~~) **(2)** preservation related professional or academic members to the extent that they are available;
- (b) Two **(2)** property or business owners from within the district;
- (c) One **(1)** resident of the City.

In addition, there shall also be a First Alternate Member and a Second Alternate Member. If any Regular Member is absent, the First Alternate Member may vote in the Regular Member's place. If the First Alternate Member is absent or if more than one (1) Regular Member is absent, the Second Alternate Member may vote in the Regular Member's place.

Members shall be residents of the City of Medina; **and shall not hold any other public office or position in the City.** ~~professional or academic mMembers~~ may include non-residents if no qualified residents are available. Members shall be appointed by the Mayor and approved by Council and shall serve for four-year terms. **The Mayor may remove any Member for cause after a public hearing, and any vacancy shall be filled in the same manner as an original appointment for the unexpired term.** Members shall elect a Chair and Vice Chair, each to serve a one-year term. A staff member or designee of the Planning Department shall act as the Board Secretary.
(Ord. 179-21. Passed 12-13-21.)

SEC. 2: That Section 145.03, "Appendix A" (9) Procedural Manual for Historic Preservation Board pertaining to Quorum, of the codified ordinances of the City of Medina, Ohio shall be amended to read as follows:

APPENDIX A Procedural Manual for Historic Preservation Board

9. QUORUM.

A majority of the Board shall constitute a quorum, and such quorum shall be capable of conducting any business before the Board. ~~However, an affirmative vote by a majority of the quorum is necessary~~ **The affirmative vote of three (3) Members of the Board shall be** required to act on an application.

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

Effective date:

ORDINANCE NO. 143-22

AN ORDINANCE AMENDING ORDINANCE NO. 191-19, PASSED NOVEMBER 25, 2019, SECTIONS 5.6 AND 7.2, ~~RELATIVE TO~~ THE JOINT OPERATING AGREEMENT BETWEEN THE BOARD OF EDUCATION OF THE MEDINA CITY SCHOOL DISTRICT AND THE CITY OF MEDINA, OHIO RELATIVE TO THE MEDINA RECREATION CENTER.

WHEREAS: Ordinance No. 191-19, passed November 25, 2019, authorized the execution of the Amended Joint Operating Agreement and Lease Agreement by and between the Board of Education of the Medina City School District and City of Medina, Ohio for the Medina Recreation Center; and

WHEREAS: The City and the School District’s representatives verbally agreed on May 5, 2022 that the original Capital Fund contribution amount needed to be increased and the City will be responsible for cost of phone service going forward; and

NOW, THEREFORE, 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 Amended Joint Operating Agreement by and between the Board of Education of the Medina City School District and the City of Medina, Ohio relative to the Medina Recreation Center, subject to the Law Director’s final approval.

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

SEC. 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 4: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

JOINT OPERATING AGREEMENT
FOR
MEDINA RECREATION CENTER

By and Between

Board of Education for Medina City School District

The City of Medina, Ohio

June 9, 2022

Revised Effective August 1, 2022

Amended Operating Agreement

This Amended Operating Agreement is entered into on the ____ day of _____, _____, by and between The Board of Education of the Medina City School District and the City of Medina, Ohio. This amended agreement will become effective on the 1st day of August, 2022.

WHEREAS, the citizens of the Medina City School District have passed a Bond Issue for the construction of major additions to the high school; and

WHEREAS, the City of Medina, Ohio has committed to provide certain funds to supplement the construction of a Recreation Center at the location of the expanded high school; in return for other considerations in this document; and

WHEREAS, the parties to this Agreement desire to share in the use of the Recreation Center; and

WHEREAS, the parties desire to coordinate their efforts and to cooperate in this venture in order to maximize the benefit to the community; and

WHEREAS, the parties desire to memorialize their understanding in writing.

NOW, THEREFOR, in consideration of the mutual covenants and conditions herein contained and for good and valuable consideration, the receipt of which is hereby acknowledged, the parties covenant and agree as follows:

or before the 10th day of the next month, to be paid by the City within 20 days after receipt of the invoice.

5.5 Day-to-day Operations. In order to have one channel for scheduling activities, programming and usage, all questions and concerns relating to the day-to-day scheduling will be directed to the City's Director. The City retains the right to hire, at its expense, part-time employees for programming assistance.

In order to have one channel for School scheduling activities, all questions and concerns related to day-to-day scheduling will be directed to the School's Athletic Director.

In order to have one channel of communication for School Operations and Facility related issues will be directed to the Director of Business Affairs.

5.6 Capital Improvements Fund. The parties recognize the Recreation Center will need future capital spending to maintain the structure, and the value of providing funds for such future needs.

Both parties shall establish and maintain a Capital Improvement Fund for the capital improvement and repair of the Recreation Center.

The Capital Improvement fund shall be maintained separate and apart from the other funds maintained by the School Board and the City.

A Capital Improvement Budget will be recommended by the Advisory Committee before the beginning of each Contract Year and approved by each party.

Withdrawals from each party's funds shall be made within the approved budget (or in an emergency with the approval of the Advisory Committee President or designee).

Quarterly reports of the Capital Improvement Fund should be forwarded by the school to the city and the city to the school with copies from both entities to the Advisory Committee showing scheduled deposits and expenditure history.

Initially, the parties estimate the total capital replacement and repair costs for each Contract Year to be \$200,000 (\$100,000 per party allocated to each party's fund). The parties may from time to time by mutual written agreement change this estimated amount. The Board and the City will consider increasing this amount if the expenses exceed the current balance.

Amendment 2022A: The annual amount will be increased by an additional \$10,000 per year per party until the amount reaches \$150,000.

2022:	\$110,000 per party	(\$220,000 total)
2023:	\$120,000 per party	(\$240,000 total)
2024:	\$130,000 per party	(\$260,000 total)
2025:	\$140,000 per party	(\$280,000 total)
2026 and beyond:	\$150,000 per party	(\$300,000 total)

Each party shall pay into its Capital Improvement Fund on or before July 31 of each Contract Year one-half of the total amount agreed upon for that Contract Year.

However, in the first two Contract Years of this agreement, neither party will be required to pay any of its allocable share; in

The parties shall bear equally the expense of arbitration proceedings conducted hereunder, unless the arbitrators shall unanimously determine otherwise.

Judgment upon the arbitrators' award rendered may be entered in the Medina County Common Pleas Court pursuant to Rev. Code Chapter 2711.

(d) In the event of termination, the defaulting party shall have no further rights or obligations under this agreement after the date of termination; however, the defaulting party shall not be relieved of its obligations under this Agreement which accrued prior to the date of termination.

Notwithstanding anything to the contrary in this agreement, under no circumstances shall the School District or the City be deprived of the use of the Recreation Center to the extent such use is essential to the educational programming of the School District or to the recreational programming of the City.

ARTICLE VII

Alterations and Improvements, Utilities and Maintenance

7.1 Alterations and Improvement. Either party or both parties jointly may request alterations or improvements, subject to the other party's prior written consent; with the requesting party to pay for the alterations or improvements subject to mutual agreement otherwise.

7.2 Utilities and Maintenance. The School Board shall provide all utilities, maintenance, repairs and custodial services, and the cost thereof shall be a factor in determining the Operating Expenses of the Physical Plant pursuant to Section 5.4.

Amendment 2022B: The School Board shall provide all utilities with the exception of phone service which is the responsibility of the City.

Where either party sponsors programs causing a need for maintenance above the peak daily norm, the sponsoring party may be assessed an additional fee to cover the extra costs.

School Board shall provide the following custodial personnel seven days per week:

16 hours total per day

2 people 6 hours per day (11:00 pm - 6:00 am)

2 hours of flex time - example spill clean up

1 hour in the morning (7:00 am - 8:00 am)

1 hour to review books for the night shift (3:00 pm - 4:00 pm)

In addition, shutdown (when the recreation center is closed for annual cleaning/maintenance) will be billed at the mid-step of the negotiated agreement based on actual hours worked.

It is expected that the number of custodial personnel will be adjusted according to the needs of the Recreation Center.

Custodial costs will be included per section 5.4 "Operating Expenses" and allocated as designated.

The hourly rate used to calculate custodial time shall be charged at the mid-step of the Medina City Schools wage scale or in the event there is no mid step the top step of the first half of the wage scale.

The custodial staff assigned to the recreation center will meet with the City's Director of the recreation center periodically as needed to facilitate smooth operations.

12.15 Non-Appropriation. The obligations of the School Board and the City hereunder to pay money in the future fiscal periods are subject to appropriation of sufficient funds for such purpose by the School Board and the City Council of the City then in office.

The parties reasonably expect that their respective future legislative bodies will budget sufficient funds in each fiscal period to cover such obligations and take the necessary action to lawfully appropriate such funds.

In the event either legislative body should fail to appropriate sufficient funds to cover such obligations in a future fiscal period, that party's obligations and rights under this agreement shall terminate.

IN WITNESS WHEREOF, this Agreement is executed the day first written above.

Signed in the Presence of:

Board of Education of the Medina
City School District

by:
President

by:
Treasurer
City of Medina

by:
Mayor

by:
President of Council