

**CITY OF MEDINA
AGENDA FOR COUNCIL MEETING**

July 13, 2020
Medina City Hall
7:30 p.m.

Call to Order.

Roll Call.

Reading of minutes. (June 22, 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. 126-20, Res. 127-20, Ord. 128-20, Ord. 129-20, Ord. 130-20, Ord. 131-20, Ord. 132-20, Ord. 133-20, Ord. 134-20, Ord. 135-20, 136-20

Ord. 126-20

An Ordinance authorizing the increase of the expenditure to Goodyear Tire and Rubber Company for the Sanitation Department.

Res. 127-20

A Resolution authorizing an application for grant assistance from the Federal Aviation Administration (FAA) for the Medina Municipal Airport Obstruction Removal Study.

Ord. 128-20

An Ordinance authorizing the Mayor to enter into Task Order #5 to the Agreement with Delta Airport Consultants, Inc. for professional services at the Medina Municipal Airport relative to the FAA Obstruction Removal Study.

Ord. 129-20

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.

(emergency clause requested)

Ord. 130-20

An Ordinance extending the Agreement with Partner Marketing LLC relative to finding sponsorships to place inside the Medina Community Recreation Center.

(emergency clause requested)

Ord. 131-20

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for a Detention Basin – Project #947 at the Medina Municipal Airport.

Ord. 132-20

An Ordinance amending Ordinance No. 62-20, passed March 18, 2020, relative to Section 917.03(b)(2) of the codified ordinances of the City of Medina, Ohio extending the date of the suspension of water service disconnections resulting from the COVID-19 pandemic to July 31, 2020.

(emergency clause requested)

Ord. 133-20

An Ordinance amending Section 917.06 of the codified ordinances of the City of Medina, Ohio relative to Late Payment Penalties of utility bills.

(emergency clause requested)

Ord. 134-20

An Ordinance amending Chapter 917 of the codified ordinances of the City of Medina, Ohio by the addition of a new Section 917.13 relative to COVID-19 Related Service Disconnections.

(emergency clause requested)

Ord. 135-20

An Ordinance authorizing the expenditure not to exceed \$8,750.00 to pay \$25 toward delinquent utility accounts occurring March through June, 2020 during the COVID-19 pandemic.

(emergency clause requested)

Ord. 136-20

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

Council Comments.

Adjournment.

MEDINA CITY COUNCIL
Monday, June 22nd, 2020

Call to Order:

Medina City Council met in regular session on Monday June 22, 2020. The meeting was called to order at 7:44 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 E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and J. Hazeltine.

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 June 8th, 2020 as prepared and submitted by the Clerk be approved. The roll was called and the motion passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, and E. Heffinger.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated they met prior to this evenings Council Meeting and will meet again on July 13th before summer break.

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.

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:

- 20-131-6/22 – Increase Expenditure – P.O. #20-571 – Goodyear Tire - Sanitation
- 20-132-6/22 – Expenditure Over \$15,000 – Drug Mart Job Creation Grant Payments
- 20-133-6/22 – CARES Act Resolution
- 20-134-6/22 – Refinancing Existing Debt and Possible New Debt Issue
- 20-135-6/22 – Resolution Against Racism
- 20-136-6/22 – 2020 Codification Update
- 20-137-6/22 – MCRC Summer Special Membership Sale Extension
- 20-138-6/22 – Grant Application – Medina Municipal Airport Obstruction Removal Study
- 20-139-6/22 – Task Order #5 Delta Airport Consultants – Obstruction Removal Study
- 20-140-6/22 – Railroad Emergency Repair – Then & Now
- 20-141-6/22 – Accept Donations to Keep Memorial Pool Open
- 20-142-6/22 – MCRC / Partner Marketing Contract Extension

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20-143-6/22 – Bids, Project #947: Medina Municipal Airport: Detention Basin
20-144-6/22 – Increase Exp. – P.O. #20-1160 – Rocco Masonry – Public Bldgs.

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 continue to support our 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 8-9am for guests over 59, and immune compromised shoppers, and from 9am to 1pm 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, 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.
- F. **July 4 – World Day of Prayer to God-** “For the repair of the world, of the COVID virus and other health concerns, along with the equality of all people. To guide us to peace and love in our world. God help us all.”

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, absent.

Kimberly Marshall, Economic Development Director, reported that on Saturday, June 20th the Economic Development Team kicked off a new initiative called Vocal for Local. Collectively with other local communities decided to have one voice to support our small business community and that is how we came up with Vocal for Local, basically put your money where your mouth is. We are asking people who can support our businesses to go out and shop and dine whether it is online or in person based on your level of comfort on going out. The website is vocalforlocalmedinacounty.com where we have done interviews of the businesses, list of business

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directories, we will be doing more promotions as we continue to move forward.

Jonathan Mendel, Planning Community Director, absent.

Chief Painter, Fire Department, absent.

Mike Wright, Rec. Center Director, stated they need to request to add to the agenda the acceptance of donations for the Memorial Pool. Mike thanked all the community and organizations who donated to the pool opening.

Mike stated starting tomorrow morning the Medina Rec will start the opening of the outdoor Memorial Pool. Aiming for a July 6th opening and will post any updates regarding hours and restrictions this week on our website and our Facebook page.

Jansen Wehrley, Parks and Recreation Director, absent.

Dan Gladish, Building Official, absent.

Patrick Patton, City Engineer, updated the South Broadway project stating they are almost done with the underground work and expect to begin pavement removal in the next week or so.

Plans are to begin placing the concrete pavement in mid-July which is much sooner than we expected. We will advise the residents as this requires a 5 day period where they will not be able to get to their driveways.

This week they will begin their sidewalk program where they remove and replace deficient sidewalks and property owners will be assuming the costs for that work.

Nino Piccoli, Service Director, had no report.

Notices and petitions:

There were none.

Unfinished Business:

There was none.

Introduction of Visitors:

Mr. Coyne read these comments into record for Ralph Jocke:

REQUEST TO CEASE EXPENDITURES ON THE COURTHOUSE PROJECT

Ralph Jocke, 523 E. Friendship Street, Medina

In these difficult financial times it is ill-advised for the City of Medina to continue to spend its dwindling taxpayer dollars in pursuit of the joint City - County Courthouse Project.

The City Council has the ability to withdraw from the Project and cease all further expenditures through a majority vote of Council. I encourage Council to immediately take up this matter for a vote.

I also urge all voters in the City of Medina to sign the Courthouse Petition which will give the people a vote on the Courthouse Project. People wishing to sign the initiative petition can find

information at www.saveyourcourthouse.com or may call 330 722 5567. Thank you.

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, 125-20. The roll was called and the motion to suspend passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, and B. Lamb.

Ord. 114-20:

An Ordinance authorizing the Job Creation Grant Agreement for Carlisle Brake & Friction, Inc. Mr. Shields moved for the adoption of Ordinance/Resolution No. 114-20, seconded by Mr. Simpson. Mrs. Marshall stated this is for Carlisle Brake & Friction to consolidate a portion of their headquarter operations from Solon to Medina. Project entails office renovation and addition of a mezzanine to accommodate 48 employees at the 920 Lake Rd. facility. The roll was called and Ordinance/Resolution No. 114-20 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

Res. 115-20:

A Resolution accepting the Technology Grant award from the Ohio Supreme Court for the Medina Municipal Court. Mr. Shields moved for the adoption of Ordinance/Resolution No. 115-20, seconded by Mr. Simpson. Mr. Shields moved for the adoption of Ordinance/Resolution No. 115-20, seconded by Mr. Simpson. Mayor stated on behalf of the Medina Municipal Court and Judge Werner this is a grant that they received for \$62,950 through the Supreme Court to enhance the servers at the Municipal Court. The roll was called and Ordinance/Resolution No. 115-20 passed by the yea votes of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

Ord. 116-20:

An Ordinance adopting three amendments to the city of Medina Section 125 Plan. Mr. Shields moved for the adoption of Ordinance/Resolution No. 116-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 116-20, seconded by Mr. Simpson. Mr. Dirham stated there are 3 amendments to our Section 125 Plan, one of them is not related to COVID it is just a periodic thing and that is to increase the amount of roll over that is permitted in the FSA. The FSA is a flexible spending account and is pre-taxed dollars. Previously this was limited to \$500 and we would like to increase that to \$550 in accordance with the IRS. The other two changes are related to COVID, one is to allow midyear changes to FSA and DCA accounts. The IRS is allowing us to do these changes because a lot of people have a reason to have a midyear change due to COVID. The third change is to extend the FSA and DCA grace period for 2019 dollars in 2020 all the way to December 31st. Mr. Rose stated for those that do not know the Section 125 Plan is not city funds. The roll was called on adding the emergency clause and was approved by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 116-20 passed by the yea votes of J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 117-20:

An Ordinance authorizing the Finance Director to make certain fund transfers. Mr. Shields moved for the adoption of Ordinance/Resolution No. 117-20, seconded by Mr. Simpson. Mr. Dirham stated this is a repayment of funds that were loaned from the special projects fund to the software fund. The roll was called and Ordinance/Resolution No. 117-20 passed by the yeas votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and J. Hazeltine.

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. Mr. Shields moved for the adoption of Ordinance/Resolution No. 118-20, seconded by Mr. Simpson. Mr. Piccoli stated this proposal will provide GIS asset management and software services for the Water Department and will allow for the planning in the management and maintenance of our water system. Some examples of the assets of the pipeline, the valves, hydrants and so on. The Street Department will be able to utilize this data base as well. The roll was called and Ordinance/Resolution No. 118-20 passed by the yeas votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, and E. Heffinger.

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. Mr. Shields moved for the adoption of Ordinance/Resolution No. 119-20, seconded by Mr. Simpson. Nino stated several years ago the city purchased a sign making machine which has benefited the city greatly in the last few years. The tasks of making signs has been taken on by a seasonal laborer, it is a unique position with necessary computer skill sets. A current fulltime union personnel in the Street Department had been offered the position. The roll was called and Ordinance/Resolution No. 119-20 passed by the yeas votes of P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, and B. Lamb.

Ord.120-20:

An Ordinance amending Section 31.05 and 31.07 of the Salaries and Benefit code of the City of Medina, Ohio relative to the Water Department and abolishing the job description of System Testing Technician. Mr. Shields moved for the adoption of Ordinance/Resolution No. 120-20, seconded by Mr. Simpson. Mr. Piccoli is asking to abolish the current fulltime position that has been vacant for almost 8 years. The duties have been performed by other people in the department. Abolish this position and add a fulltime laborer which is lesser cost to the department. The roll was called and Ordinance/Resolution No. 120-20 passed by the yeas votes of J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

Res. 121-20:

A Resolution adopting the Tax Budget of the City of Medina, Ohio for the fiscal year beginning January 1st, 2021 and submitting the same to the Medina County Auditor. Mr. Shields moved for the adoption of Ordinance/Resolution No. 121-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 121-20,

seconded by Mr. Simpson. Mr. Dirham explained that the Tax Budget provides the basis for the revenue estimate that we operate on with our budgets. Emergency clause is requested is it needs to be turned into the county by no later than July 20th. The roll was called on adding the emergency clause and was approved by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. -20 passed by the yea votes of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

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) Mr. Shields moved for the adoption of Ordinance/Resolution No. 122-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 122-20, seconded by Mr. Simpson. Mr. Dirham stated they need to pass this in order to receive the funds from the Coronavirus Cares Act pass through. The roll was called on adding the emergency clause and was approved by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 122-20 passed by the yea votes of J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 123-20:

An Ordinance to approve, adopt and enact current replacement pages to the Codified Ordinances of the City of Medina, Ohio. Mr. Shields moved for the adoption of Ordinance/Resolution No. 123-20, seconded by Mr. Simpson. Mr. Coyne stated that this is just an annual update of their codified ordinances that have been passed for the City of Medina. The roll was called and Ordinance/Resolution No. 123-20 passed by the yea votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and J. Hazeltine.

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. Mr. Shields moved for the adoption of Ordinance/Resolution No. 124-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 124-20, seconded by Mr. Simpson. Mr. Wright stated that this is to extend their summer membership to August, September, & October to allow the patrons to get more comfortable with coming back to the Rec Center. We are asking for the emergency clause so this can start before August 1st. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, and B. Lamb. The roll was called and Ordinance/Resolution No. 124-20 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, and E. Heffinger.

Add to agenda:

Mr. Shields moved to add Ord. 125-20 to the agenda, seconded by Mr. Simpson, motion passed

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

Ord. 125-20:

An Ordinance accepting donations for the Memorial Pool. Mr. Shields moved for the adoption of Ordinance/Resolution No. 125-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 125-20, seconded by Mr. Simpson. Mr. Wright stated this is to accept donations for opening the outdoor Memorial Pool. Plans are to open by July 6th and need to accept those donations before the opening. 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. 125-20 passed by the yea votes of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

Council Comments:

Mr. Simpson thanked all who raised donations for the Memorial Pool. Dennie feels this will benefit a lot of our residents. Dennie also gave praise to his colleagues on council and the administration for addressing the delinquent water accounts that have occurred due to COVID. Praises to all that have been patient with the restrictions caused by the virus, it does feel good to get out and about. Please remember to use social distancing and masks whenever possible. Be kind to each other.

Mr. Rose stated since the last meeting he and his wife has had the opportunity to eat at 3 restaurants in town, they really want your business back. They felt very safe at all three places. Employees were all trained well to deal with any issues.

Mr. Lamb thanked Jess Hazeltine for her work on Coffee with Bill and Jess, they had 2,700 views on their last program. Roger Smalley gave a great presentation about the restoration and preservation in town. Mr. Lamb read the following statement:

The Medina County fair should be a welcoming experience for all who attend. Since our county apparently is suffering an absence of leadership on the issue of the confederate flag at our fair, I want to thank Leah's Nichols for filling that void by organizing an online petition drive to ban the sale of that symbol of racism at the fair.

The state murder of George Floyd made us witness to the targeted racial injustice that is all too real and prevalent in our nation, leaving us now with a choice: ignore the cry for racial equality allowing its evil effects to go on.... or finally step up and commit to fulfilling the promise made 244 years ago that "all people are created equal"....then all people should be treated equally.

Of all the work we have the opportunity to do, I would think that the removal of racist symbols would be both the obvious and easiest...that's why I so appreciate the efforts of Leah Nichols to step in on the side of good to ban the confederate flag from our fair - since our local officials have either remained silent or choose to align themselves with the false and discredited excuses of "it's part of our history for heaven sakes", or "I don't have a stance".

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The history of that battle flag is a history of treason in the name of maintaining a state system of human slavery....a war that caused the death of 750,000 combatants, 2.5% of the US population in 1861.

Soldiers who fought under the confederate flag were killing United States soldiers. Today that flag has been appropriated by white supremacists.

After the Civil War the flag all but disappeared except in regions of the South. Then beginning in 1948 the flag made a resurgence when it was popularized by South Carolina Governor, Segregationist Strom Thurmond when he ran for president, then used as a banner for the Ku Klux Klan, White Citizens Councils and segregationist mobs becoming a symbol of white supremacy that it is today...often seen carried with the Nazi flag and anti-Jewish symbols.

Leah Nichols has taken a leadership position on the side of good, ban the flag....

Symbolic statements are significant, the removal of a symbol related to treason and white supremacy is meaningful and can serve as a beginning to fix the structural inequalities that continue to exist in our society.

As a community we need to condemn the use of white supremacy symbols anywhere and everywhere and demand a County fair that recognizes the importance of banning the vile flag of traitors and racists...anything short of a ban is unacceptable and indicative of complicity.

Leah's online petition has collected 4,301 signatures

Fair office:

Phone 330-723-9633

Email medinafair@gmail.com

Mr. Huber stated it is nice to see all of council back in the building, these meetings have cohesion and direction that is missing in virtual meetings.

Mrs. Hazeltine read a statement that was issued by the Medina County young Democrats about the confederate flag at the Medina County Fair.

The Medina County Young Democrats are elated that the Medina County Fair Board has reconsidered their previous decision to cancel the fair and has decided to hold the 175th Medina County Fair. The fair is an important event for our community and residents. Over the years, the fair has allowed everyone to come together to celebrate the agricultural and livestock achievements of Medina County. The fair originated as a celebration and has undergone many changes throughout the years.

We believe that it is time another change takes place at the fair. For many years, the Confederate flag has been displayed by vendors and sold during the fair. However, it is time that the Medina County Fair Board prohibit the sale and/or display of these items moving forward. The Ohio State Fair voluntarily disallowed the practice in 2015. It is time Medina County made the same choice.

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We are not trying to erase American history or change it. The flag represents a time in our history that we were at war with one another, and that people of color were thought of as property. The Confederate flag is associated with historical revisionism and glorification of the Civil War, racism, slavery, white supremacy, treason, and attempted intimidation of people of color. It does not belong at the Medina County Fair, which is a time for people to come together and celebrate. As stated in our Declaration of Independence, "all men are created equal, and that they are endowed by their Creator with certain unalienable rights, and that among those are Life, Liberty, and the pursuit of Happiness." How can our neighbors pursue a life of happiness when by constantly having to view a hate filled and racist symbol at a celebration?

Until such a time as the Medina County Fair Board sees fit to ban the display and/or sale of the Confederate flag and return the fair to its origins of a community celebration of agricultural and livestock achievements, the Medina County Young Democrats will not participate in the fair or any fair sponsored events.

President - Ed Isabella

Vice President - Jessica Hazeltine

Secretary - Drew Burge

There being no further business before Council, the meeting adjourned at 8:25 p.m.

Kathy Patton, CMC - Clerk of Council

John M. Coyne, President of Council

ORDINANCE NO. 126-20

AN ORDINANCE AUTHORIZING THE INCREASE OF THE EXPENDITURE TO GOODYEAR TIRE AND RUBBER COMPANY FOR THE SANITATION DEPARTMENT.

WHEREAS: The Service Director has requested to increase Purchase Order #20-571 from \$15,000 to \$45,000, 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 #20-571 from \$15,000 to \$45,000 is hereby authorized for the Sanitation Department.

SEC. 2: That the funds to cover this expenditure are available in Account No. 514-0543-53321.

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. 127-20

A RESOLUTION AUTHORIZING AN APPLICATION FOR GRANT ASSISTANCE FROM THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR THE MEDINA MUNICIPAL AIRPORT OBSTRUCTION REMOVAL STUDY.

WHEREAS: The City of Medina, Ohio intends to apply to the Federal Aviation Administration (FAA) for the Obstruction Removal Study at the Medina Municipal Airport.

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

SEC. 1: That the Council of the City of Medina, Ohio hereby approves the filing an application for grant assistance to the Federal Aviation Administration (FAA) for the Obstruction Removal Study at the Medina Municipal Airport.

SEC. 2: That the Mayor of the City of Medina, Ohio is hereby authorized and directed to execute and file an application with the appropriate authority and to provide all information and documentation required in the application process.

SEC. 3: That if the Grant is awarded to the City, the Mayor is hereby authorized to accept the Grant and enter into an agreement with the Federal Aviation Administration for the implementation and administration of the Grant.

SEC. 4: 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. 5: 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

Res. 127-20

OMB Number: 4040-0004
Expiration Date: 12/31/2022

Application for Federal Assistance SF-424

* 1. Type of Submission:

- Preapplication
- Application
- Changed/Corrected Application

* 2. Type of Application:

- New
- Continuation
- Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name:

City of Medina

* b. Employer/Taxpayer Identification Number (EIN/TIN):

34-6001856

* c. Organizational DUNS:

0817894620000

d. Address:

* Street1:

P.O. Box 703

Street2:

* City:

Medina

County/Parish:

* State:

OH: Ohio

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

44258-0703

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Mr.

* First Name:

Greg

Middle Name:

* Last Name:

Huber

Suffix:

Title:

Law Director/Airport Manager

Organizational Affiliation:

* Telephone Number:

330-725-8861

Fax Number:

330-722-9045

* Email:

ghuber@medinaoh.org

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Federal Aviation Administration

11. Catalog of Federal Domestic Assistance Number:

20.106

CFDA Title:

Airport Improvement Program

*** 12. Funding Opportunity Number:**

* Title:

Obstruction Removal Study

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

The proposed project is for a survey of all runway approaches to identify any obstructions within the approach and obstruction clearance surfaces

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

| | |
|---------------------|---|
| * a. Federal | <input type="text" value="150,000.00"/> |
| * b. Applicant | <input type="text" value="0.00"/> |
| * c. State | <input type="text" value="0.00"/> |
| * d. Local | <input type="text" value="0.00"/> |
| * e. Other | <input type="text" value="0.00"/> |
| * f. Program Income | <input type="text"/> |
| * g. TOTAL | <input type="text" value="150,000.00"/> |

← FED SHARE (FAA) = \$ 150,000.

← LOCAL SHARE (CITY) = \$ 0.

* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?

- a. This application was made available to the State under the Executive Order 12372 Process for review on .
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)

Yes No

If "Yes", provide explanation and attach

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:
Middle Name:
* Last Name:
Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative: * Date Signed:

ORDINANCE NO. 128-20

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO TASK ORDER #5 TO THE AGREEMENT WITH DELTA AIRPORT CONSULTANTS, INC. FOR PROFESSIONAL SERVICES AT THE MEDINA MUNICIPAL AIRPORT RELATIVE TO THE FAA OBSTRUCTION REMOVAL STUDY.

WHEREAS: The City sought proposals from qualified engineers to perform certain engineering services for the Medina Municipal Airport; and

WHEREAS: Ordinance No. 96-19, passed June 24, 2019, authorized an agreement with Delta Airport Consultants, Inc. to perform certain engineering services for projects during the calendar years 2019 and 2020; 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 Task Order #4 to the Agreement with Delta Airport Consultants, Inc. relative to the FAA Obstruction Removal Study at the Medina Municipal Airport

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

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 the funds to cover this order, in the amount of \$150,000.00 is available in Account No. 147-0659-54411.

SEC. 5: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 6: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

Effective date –

**TASK ORDER NO. 5
PROFESSIONAL SERVICES AGREEMENT**



PROJECT: Obstruction Removal Study

AIRPORT: Medina Municipal Airport

DELTA PROJECT NO.: 18009

DATE OF ISSUANCE: June 9, 2020

ATTACHMENTS: 1) Scope of Services

METHOD OF PAYMENT: Obstruction Study - Lump Sum
Reimbursables - Unit Price

TASK ORDER AMOUNT: \$ 150,000

PROJECT DESCRIPTION:

- Provide an Obstruction Survey for each runway approach
- Perform Obstruction Analysis
- Develop Obstruction Removal Program
- DBE Program Update

The original Agreement for Professional Services between the City of Medina (OWNER) and Delta Airport Consultants, Inc., (CONSULTANT) for Professional Services at Medina Municipal Airport dated June 24, 2019, shall govern all TASK ORDERS executed under this Agreement unless modified in writing and agreed to by CONSULTANT and OWNER.

ACCEPTED: Digitally signed by Douglas E Sander
by: _____ Date: 2020.06.16 16:25:07 -04'00'

Douglas E. Sander, PE
Vice President
Delta Airport Consultants, Inc.
20545 Center Ridge Road, Suite 450
Cleveland, OH 44116

APPROVED:

by: _____

Dennis Hanwell
Mayor
City of Medina
132 North Elmwood Avenue
Medina, OH 44256



Obstruction Removal Study
Medina Municipal Airport
Delta Project No. 18009

June 9, 2020

| PHASE | DETAILED TASKS |
|----------------------|--|
| Obstruction Analysis | Scope of Services and Contract Scoping Coordination / Meeting (1) Grant Application and Funding Assistance Airport Site Visit (1) FAA/ State Coordination and Documentation Owner Coordination Subconsultants Coordination Project Correspondence Project Exhibits Obstruction Removal Program Development Final Project Report DBE Plan Assistance Reimbursement Requests |

ITEMS NOT INCLUDED IN SCOPE: Design, Bidding, or Construction Services
Environmental Planning or Permitting

ORDINANCE NO. 129-20

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, AND DECLARING AN EMERGENCY.

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

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

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

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

SEC. 2: That the Finance Director is authorized to draw warrants for the payment of Invoice #26036 to Wintrow Construction Corp. for an emergency repair to the City rail line in the amount of \$7,087.50.

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

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

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 130-20

AN ORDINANCE EXTENDING THE AGREEMENT WITH PARTNER MARKETING LLC RELATIVE TO FINDING SPONSORSHIPS TO PLACE INSIDE THE MEDINA COMMUNITY RECREATION CENTER, AND DECLARING AN EMERGENCY.

WHEREAS: Ordinance No. 53-17, passed April 24, 2017, authorized an Agreement with Partner Marketing, LLC; and

WHEREAS: Said contract was awarded to for a three year period with an option to extend the agreement; and

WHEREAS: It has been recommended by the Law Department that the contract be extended for a one year period.

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

SEC. 1: That the contract with Partner Marketing LLC for finding sponsorships at the Medina Recreation Center is hereby extended for a one year period.

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 the original agreement has expired on May 1, 2020; 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

fully executed

ORDINANCE NO. 53-17

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO SPONSORSHIP AND SPONSOR AGREEMENTS WITH PARTNER MARKETING LLC FOR THE PURPOSE OF FINDING PERSONS AND COMPANIES WHICH DESIRE TO PLACE SPONSORSHIPS INSIDE THE MEDINA RECREATION CENTER.

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

- SEC. 1:** That the Mayor is hereby authorized and directed to enter into a Sponsorship and Sponsor Agreements with Partner Marketing LLC for the purpose of finding persons and companies which desire to place sponsorships inside the Medina Recreation Center.
- SEC. 2:** That a copy of the Agreements are marked Exhibit A and B, 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: April 24, 2017

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: April 25, 2017

SIGNED: Dennis Hanwell
Mayor

Ord. 53-17
Exh. A

Sponsorship Agreement

This Agreement (the "Agreement") entered into this 1ST day of MAY, 2017, by and between the City of Medina (hereafter sometimes referred to as "City") at 132 North Elmwood Avenue, Medina, Ohio 44256 and Medina City Schools Board of Education (hereafter sometimes referred to as "Medina Schools" or "BOE") at 739 Weymouth Road, Medina, Ohio 44256 and Partner Marketing, LLC (hereafter sometimes referred to as "PM"), 334 Koontz Rd., Wadsworth, OH 44281.

Recitals

WHEREAS, the Medina City Schools is the owner of the Medina Recreation Center ("REC"); and

WHEREAS, the Medina City Schools Board of Education has a lease agreement with the City of Medina for certain use of the Medina Recreation Center located at 855 Weymouth Rd, Medina, OH 44256 by the City of Medina; and

WHEREAS, City and Medina Schools desires to continue the place sponsors inside the Medina Recreation Center; and

WHEREAS, PM desires to obtain sponsors for the City of Medina and Medina Schools and desires to cause sponsors to be placed in the Medina Recreation Center; and

WHEREAS, the City of Medina and Medina Schools desire to retain PM as their exclusive agent to obtain and place sponsors inside the Medina Recreation Center, and PM desires to be the exclusive agent for this purpose.

NOW, THEREFORE, for good and valuable consideration, the parties hereby agree as follows:

I. Responsibilities of Partner Marketing, LLC:

1. PM shall have all the duties of finding persons and companies which desire to place sponsorships inside the REC, preparing and executing contracts for sponsorship and for taking necessary steps to prepare sponsors so that all agree the signage is properly placed and approved by the Recreation Advisory Committee (RAC), Medina Schools, and the City of Medina.

2. All payments by sponsors will be paid directly to PM. PM shall pay the City and/or the Medina City Schools pursuant to the payment schedule below (minus any cost of goods or other requirements that any sponsor might require to fulfill any sponsorship). Payments by PM to the City shall be made within thirty (30) days of the previous month's close. A monthly reconciliation report will be provided to the City by PM each month. A copy of the Sponsor Agreement will be provided to the City for final approval.

3. PM shall not assign this contract without *written* consent of the City of Medina and with the consent of the Medina City Schools. City of Medina nor Medina Schools shall assign this contract without the written consent of PM.

4. PM agrees to incur all costs prior to and after a secured agreement between parties. The City and Medina Schools will incur no cost of marketing, development, advertising, selling, managing and/or cost of working with vendors that will be needed to execute this concept.

II. Responsibilities of the City of Medina.

1. PM shall be the exclusive agent for procuring sponsors for the City and Medina Schools at Medina Recreation Center (REC). This includes field house, natatoriums, fitness rooms, track, community rooms, and locker rooms/restrooms. The City and Medina Schools are prohibited from engaging any other person or entity which is in anyway related to procuring sponsors or in any way related to nature and purpose of the rights or responsibilities of this Agreement within the Medina Recreation Center. This excludes any pre-existing agreements such as the "Community Matters" agreement.

2. Any sponsorship leads that come to or are received by the City or Medina Schools in regards to REC sponsorships must be immediately directed to PM to complete sales procurement.

3. The City provides its consent and approval of PM to contract with designers, marketing entities and partners in order to accomplish the goal of selling donations and sponsorships consistent with this Agreement.

4. The City will permit PM to have reasonable access to the REC during operating hours to accomplish the terms of this agreement and to place sponsorships. Upon the advance agreement of the parties, PM may obtain access to the REC outside normal hours of operation.

III. Payment.

1. Payment Schedule and shared net revenue is for each payment for extent of the contracted term. This is defined as the gross contracted amount per month, year or any other time period sold to any sponsor minus all cost of goods associated with fulfilling the agreement which includes the design, fabrication, installation and/or the like. The cost of goods will also include the initial cost of the signage and if in the event signage needs repaired/replaced or maintenance for quality for any reason the repair, replace, and maintenance cost. In the event a sponsor ceases payment for whatever reason both parties would incur the liability of any costs.

| | PM Share | City Share |
|-------------------------|----------|------------|
| • 1-12 month agreement | 50% | 50% |
| • 13-24 month agreement | 40% | 60% |
| • 25-36 month agreement | 30% | 70% |
| • 37+ month agreement | 20% | 80% |

IV. Term

1. The term of this agreement shall be three (3) years beginning on MAY 1ST, 2017 with a three (3) year mutual agreement extension. Either party can opt out at any time, for any cause or no cause, after a minimum of 180 days of the execution of this initial Agreement and with a 60 day written notice. Any completed sales up to 60th day will be shared per the payment schedule. This includes any sales made that include monthly/yearly payments beyond the 60th day.

V. Sponsor Content

1. The Recreation Advisory Committee (RAC), Medina City Schools, and the City of Medina shall reserve the right to accept or reject any sponsor, sponsorship, including any signage which, by its content, language, or graphics, violates any law, guideline or policy. Moreover, the content of any sponsorship advertising, promotional material, signage, or donor messages shall be subject to approval of the RAC, Medina City Schools, and the City of Medina. The RAC, Medina City Schools, and the City of Medina reserve the right to remove any objectionable advertising, signage, or promotional material.

VI. Partner Marketing, LLC Ownership

1. All sponsorship items, customer lists, signage, websites, domains, phone numbers, collateral, search engines listings, social media sites, process, procedures and related materials generated by PM and its subcontractors for the effort of selling sponsorship on behalf of either the City or Medina Schools is and shall remain the property of PM.

VII. Pricing

1. PM, with the approval of the City, has the ability to determine pricing per any donation level and term. PM has the ability to negotiate pricing and terms per any potential sponsor. This may include bartering with sponsors in the event this will benefit the City in not paying for any given service/product that is deemed of value by the City. The City would be involved with the bartering negotiation. In the event this occurs, the total bartered amount/value will be agreed upon by PM. The cash value and percentage, per the above schedule, will be credited and paid to PM.

VIII. The Parties Further Agree as Follows:

1. In the event of vandalism or destruction of any signage or other items that are included in the sponsor "package" the cost to repair/replace the signage would be shared equally by PM and the City.

2. City, Medina Schools and PM will agree on the space that signage and/or other marketing materials can be placed within the REC.

IX. Miscellaneous

1. The parties agree that the laws of the State of Ohio shall control with regard to any and all contractual disputes that may arise and that any and all litigation undertaken or arising under this contract shall be presented in a court of competent jurisdiction within the State of Ohio.

2. The signatories hereto certify that they have full authority to execute and deliver this Agreement and that it is binding and enforceable in its terms upon the signatories hereto.

3. The foregoing contains all promises and representations by the parties and their agents, is the complete agreement between the parties, and neither party is relying on any other oral or written statement as an inducement to sign this Agreement.

Medina City Schools, Board of Education

By: [Signature] Date: 05.16.17

Title: Treasurer

City of Medina, MCRC

By: [Signature] Date: 4-25-2017
Dennis Harwell

Title: Mayor

Partner Marketing, LLC

By: [Signature] Date: 5-3-17
MARIE STEWART

Title: OWNER

ORDINANCE NO. 131-20

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR COMPETITIVE BIDS AND TO AWARD A CONTRACT TO THE SUCCESSFUL BIDDER FOR A DETENTION BASIN - PROJECT #947 AT THE MEDINA MUNICIPAL AIRPORT.

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 a Detention Basin (Project #947) at the Medina Municipal Airport in accordance with specifications on file in the office of the Mayor.

SEC. 2: That the estimated cost of the contract, in the amount of \$152,260.00 is available in Account No. 301-0726-54411 (\$101,507.00 City share / \$50,753 Stephenson Foundation).

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. 132-20

AN ORDINANCE AMENDING ORDINANCE NO. 62-20, PASSED MARCH 18, 2020, RELATIVE TO SECTION 917.03 (b)(2) OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO EXTENDING THE DATE OF THE SUSPENSION OF WATER SERVICE DISCONNECTIONS RESULTING FROM THE COVID-19 PANDEMIC TO JULY 31, 2020, AND DECLARING AN EMERGENCY.

WHEREAS: Ordinance No. 62-20, passed March 18, 2020, authorized the amendment to Section 917.03 of the Codified Ordinances of the City of Medina, Ohio allowing suspension of water service disconnections due to the COVID-19 pandemic from March 15, 2020 to June 30, 2020; and

WHEREAS: Medina City Council has decided to extend the suspension for one month until July 31, 2020.

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

SEC. 1: That Ordinance No. 62-20, passed March 18, 2020 is hereby amended to extend the end date of the suspension of water service disconnections due to the COVID-19 pandemic from June 30, 2020 to July 31, 2020.

SEC. 2: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 3: That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason the pandemic is ongoing; 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

ORDINANCE NO. 133-20

AN ORDINANCE AMENDING SECTION 917.06 OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO RELATIVE TO LATE PAYMENT PENALTIES OF UTILITY BILLS, AND DECLARING AN EMERGENCY.

WHEREAS: That Section 917.06 of the codified ordinances of the City of Medina, Ohio presently reads as follows:

917.06 LATE PAYMENT PENALTY.

A ten percent (10%) penalty shall be added to the outstanding balance of any utility bill not paid on time. The penalty shall be assessed to the outstanding balance of any account not paid by month-end due date. Month-end due date shall be determined by the Director of Finance. (Ord. 56-96. Passed 3-25-96.)

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

SEC. 1: That Section 917.06 of the codified ordinances of the City of Medina, Ohio shall be amended to read as follows:

917.06 LATE PAYMENT PENALTY.

(a) A ten percent (10%) penalty shall be added to the outstanding balance of any utility bill not paid on time. The penalty shall be assessed to the outstanding balance of any account not paid by month-end due date. Month-end due date shall be determined by the Director of Finance. (Ord. 56-96. Passed 3-25-96.)

(b) Penalties under sections 917.06 (a) and 941.09 for the months of March through June of 2020 shall be waived due to COVID-19.

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 due to the current COVID-19 pandemic; 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

ORDINANCE NO. 134-20

AN ORDINANCE AMENDING CHAPTER 917 OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO BY THE ADDITION OF A NEW SECTION 917.13 RELATIVE TO COVID-19 RELATED SERVICE DISCONNECTIONS, AND DECLARING AN EMERGENCY.

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

SEC. 1: That Chapter 917 of the codified ordinances of the City of Medina, Ohio is hereby amended by the addition of the following new Section 917.13 relative to COVID-19 Related Service Disconnections:

917.13 COVID-19 RELATED SERVICE DISCONNECTIONS

Any utility customer scheduled for disconnection when the COVID-19 related service disconnection suspension expires as of July 31, 2020 shall be permitted a 12 month payment plan for the delinquent portion of the amount due. The following stipulations shall apply:

- (a) Customers must contact the Finance Department and agree to the payment plan in order to be granted a payment plan.**
- (b) Penalties will not apply to the payment plan amounts.**
- (c) The full amount shall become due immediately if the account is terminated.**
- (d) If payments are not made under payment plan, customer is still subject to shutoff and termination of payment plan.**

SEC. 2: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 3: That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason due to the ongoing COVID-19 pandemic; 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. 135-20

AN ORDINANCE AUTHORIZING THE EXPENDITURE NOT TO EXCEED \$8,750.00 TO PAY \$25 TOWARD DELINQUENT UTILITY ACCOUNTS OCCURRING MARCH THROUGH JUNE, 2020, DURING THE COVID-19 PANDEMIC, AND DECLARING AN EMERGENCY.

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

SEC. 1: That the expenditure of not to exceed \$8,750.00 to pay \$25 toward delinquent utility accounts occurring March through June, 2020 during the COVID-19 pandemic is hereby authorized with the following stipulations:

- a) This amount will be applied to the final payment for any customer granted a payment plan under Section 917.13.
- b) This amount will only be available if the account in question is NOT disconnected for non-payment during the repayment authorized under Section 917.13.
- c) This amount will only be paid if the customer does not owe any other amounts to the Water Department.

SEC. 2: That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director’s certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.

SEC. 3: That the funds to cover this payment are available in Account No. 001-0707-52215.

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

SEC. 5: That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to provide immediate assistance during the COVID-19 pandemic; 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

ORDINANCE NO. 136-20

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

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

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

| <u>Account No./Line Item</u> | <u>Additions</u> |
|---|------------------|
| 106-0101-53321 (Donation from Firestorm Gear) | 430.00 * |
| 104-0301-53313 (Donation for Mountain Bike Trails) | 100.00 * |
| 164-0705-52212 (Insurance for Community Service Probationers) | 1,300.00 * |
| 102-0145-53321 (Insurance Check for Traffic Signals) | 13,396.00 * |

SEC. 2: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 3: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

* - new appropriation

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor