

MEDINA CITY COUNCIL
Monday, August 28, 2023

Call to Order:

Medina City Council met in regular session on Monday, August 28, 2023 at Medina City Hall. The meeting was called to order at 7:30 p.m. by Mr. Coyne, Council President, who also led in the Pledge of Allegiance.

Roll Call:

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

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

Minutes:

Mr. Shields moved that the minutes from the regular meeting on Monday, July 10, 2023, and Special Council Meeting on Wednesday, July 26, 2023 as prepared and submitted by the Clerk be approved, seconded by Mr. Simpson. The roll was called and passed by the yeas of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated the Finance Committee met prior to Council and will meet again in 2 weeks.

Public Properties Committee: Mr. Shields stated that Public Properties met during Council break at Spring Grove Cemetery. Several items that came through Finance tonight were areas that were addressed and discussed at that meeting.

Health, Safety & Sanitation Committee: Mr. Simpson stated he and the Mayor attended the LST quarterly meeting last week.

Special Legislation Committee: Mr. Lamb had no report.

Streets & Sidewalks Committee: Ms. Haire had no report.

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

Emerging Technologies Committee: Mr. Rose had no report.

Requests for Council Action:

Finance

23-142-8/28 – Trade-In of Police Department Firearms

23-143-8/28 – OHMHAS Specialized Dockets Subsidy Project Funding/Veteran's Court

23-144-8/28 – 2023 Candlelight Walk Decorations Proposal

23-145-8/28 – Adopt Updated Disaster Recovery Plan

23-146-8/28 – PY22 CHIP Private Rehab – 1495 McKinley Ave., Brunswick

23-147-8/28 – PY22 CHIP Private Rehab – 13 Plymouth Drive

23-148-8/28 – PY22 CHIP Private Rehab – 335 South Prospect St.

- 23-149-8/28 – PY22 CHIP Private Rehab – 342 Foundry St.
- 23-150-8/28 – Discussion – Development of City Property at 410 E. Smith Rd.
- 23-151-8/28 – Settlement Agreement and Release – Access Information Mgmt. Corp.
- 23-152-8/28 – Budget Amendments
- 23-153-8/28 – Parking Agreement w/ Medina Supply and Improvements
- 23-154-8/28 – Waiving Certain Unpaid Utility Accounts
- 23-155-8/28 – Expenditure – Thermal Imaging Cameras – Fire Dept.
- 23-156-8/28 – Amend Ch. 917 – Water Service
- 23-157-8/28 – Purchase a Truck Mounted Vacuum Excavator – Water/Streets
- 23-158-8/28 – Purchase 2023 Full ODOT Bucket Truck – Street Dept.
- 23-159-8/28 – Increase Expenditure P.O. #2023-816 - Goodyear Tire – Sanitation
- 23-160-8/28 – Purchase Electric Vehicle Charging Stations for City Hall Parking Deck
- 23-161-8/28 – SWOMA Agreement w/ Ravago Real Estate
- 23-162-8/28 – Waiving Fees for Sidewalk Program
- 23-163-8/28 – Friends of Cemetery Letter of Intent – Mausoleum Repair Project
- 23-164-8/28 – Amend Code 943.06 & 943.11 – Cemetery
- 23-165-8/28 – Bids, Spring Grove Cemetery Columbarium Wall
- 23-166-8/28 – 2023 City Auction

Reports of Municipal Officers:

Dennis Hanwell, Mayor,

- A. Welcome back Council from recess.
- B. Medina Farmer Markets take place on Public Square on Saturdays through October 7th, 9 a.m. – 1 p.m. Thanks to Main Street Medina for organizing this ongoing event.
- C. Tunnel to Towers Race & Walk on Sunday, September 10th at 8 a.m. is on Public Square. More info available at Medina@t2t.org
- D. 9/11 Memorial Ceremony will be held at the Memorial adjacent to Medina Fire Department Station #1 on Monday, September 11th, 2023 at 10 a.m.
- E. State of City to Council will be on September 11th at 6:30 p.m. Then to the Greater Medina Chamber of Commerce on September 12th, 2023 at 11:30 a.m. – Williams on the Lake.

Keith Dirham, Finance Director, Keith stated there is a utility rate review meeting coming up but doesn't have date or time available.

Kimberly Marshall, Economic Development Director, was not in attendance.

Greg Huber, Law Department, had no report.

Chief Kinney, Police Department, reminded the public that school is back in session and it's important while driving around town to be cautious of children walking to and from school and watch for buses picking up and dropping of children while red lights are on buses you can not go around them or you will get a citation with a mandatory court appearance. Chief also reminded that the right turn restrictions in the square are back into effect during school hours.

Chief Walters, Fire Department, had no report.

Jansen Wehrley, Parks and Recreation Director, updates for the Rec Center – competition pool will open on September 15th. Outdoor pool season will be extended through September. Splash pad operating season has also been extended to beyond Labor Day, weather permitting. Fitness Room addition is on schedule hopeful for completion by mid-November.

Dan Gladish, Building Official, had no report.

Nino Piccoli, Service Director, Nino stated that a public notification went out earlier this afternoon advising residents about a water break that we have with an eight-inch line leaking.

Patrick Patton, City Engineer, Pat stated that West Smith Road has been completely opened for the last 3 or 4 weeks and this was due to contract as the contractors are required to have the road open for two-week period during the County Fair. The project is not complete and work will resume shortly.

Andrew Dutton, Planning and Community Development Director, had no report.

Notices, communications and petitions:

There were none.

Unfinished Business:

Ord. 108-23 (3rd READING & Passage)

An Ordinance authorizing the Mayor to execute a Lease Agreement between the Board of Medina County Commissioners and the City of Medina, Ohio for the lease of a portion of the Medina County Courthouse Complex known as the 1969 Courthouse for the public purpose of operating the Medina Municipal Court. Mr. Shields moved for the adoption of Ordinance/Resolution No. 108-23, seconded by Mr. Simpson. Mayor Hanwell stated there have been two minor changes in the latest version that council has. Section 1.2 (premises) subsection A, the Medina County Law Library was changed to Medina County Law Library Resources Board which is the name in the Ohio Revised Code that the Board is referred to. The other change is that the County intends to continue to provide space without specific square footage being listed in our lease. Mayor Hanwell stated they have been working on this for 20 years in search of a solution, and he would like to thank Judge Hutson, as when he was the County Commissioner he helped with these discussions before being elected Judge. There has been a great deal of conversation with the County Commissioners, with Judge Werner and his staff, and former County Administrator Scott Miller and the current County Administrator Chris Jacob, to get all to the point where we are today with a lease and terms that are acceptable. Mayor Hanwell spoke of the efficiencies of having the courts adjacent to one another. Commissioner Harrison addressed some issues from the Law Library Association, and urged council to proceed with the approval of the proposed lease. Once the City moves forward with the proposed lease, that gives the County the occasion to approach the appropriate Law Library stakeholders to finalize the future plans for the Law Library.

Mr. Coyne stated moving forward with this accomplishes the main goal of trying to make sure the community has a courthouse that complies with the Ohio Revised Code as much as it can, and also provides a space where everyone knows where to go within one location.

Mr. Shields echoed Mr. Coyne and appreciates that we are at this point. One of the other bonuses here is that side of the square is not changing.

Mayor Hanwell stated that the roof is being repaired because it is under warranty with the County and the County is taking care of it. The pillars and whether or not they need replaced or whatever they need, is still being evaluated and analyzed by engineers that the county has hired.

Bill Lamb stated a great deal of the success of this courthouse lies with Mayor Hanwell because he has that special kind of understanding that we are here to solve a problem and he deserves a lot of credit for where we've ended up. He also thanked Judge Hudson.

The roll was called and Ordinance/Resolution No. 108-23 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose.

Introduction of Visitors:

There were none.

Introduction and consideration of ordinances and resolutions.

Mr. Shields moved to Suspend the Rules requiring three readings on the following ordinances and resolutions, Ord. 122-23, Ord. 123-23, Ord. 124-23, Res. 125-23, Ord. 126-23, Ord. 127-23, Ord. 128-23, seconded by Mr. Simpson. The roll was called and passed by the yea votes of D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields.

Ord. 122-23

An Ordinance authorizing the expenditure of \$5,000.00 to the Medina County Society for the Prevention of Cruelty to Animals (SPCA) for the Medina Meow Fix Trap Neuter and Release Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 122-23, seconded by Mr. Simpson. Mr. Lamb stated he is extremely happy that Council has agreed to provide these funds to them through the SPCA. The roll was called and Ordinance/Resolution No. 122-23 passed by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 123-23

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for Job #1154, Reagan Park Skatepark Rehabilitation.

***Tabled

Ord. 124-23

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the 2023 Sidewalk Repair Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 124-23, seconded by Mr. Simpson. Mr. Shields

moved that the emergency clause be added to Ordinance/Resolution No. 124-23, seconded by Mr. Simpson. Mr. Patton stated this will be the next repair in the north east area off the square. Emergency is requested to get bidding started as soon as possible. The roll was called on adding the emergency clause and was approved by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire and J. Hazeltine. The roll was called and Ordinance/Resolution No. 124-23 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb.

Res. 125-23

A Resolution authorizing the Mayor to file an application for grant assistance with the Ohio Public Works Commission (OPWC) for the Blake Avenue Reconstruction Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 125-23, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 125-23, seconded by Mr. Simpson. Mr. Patton stated this is an application for funds for Blake Avenue reconstruction, the pavement condition is one of the worst in the city and in addition, over the past three years, they've experienced several water breaks. The emergency is requested because this was submitted before council break and the grant is due the first week of September. The roll was called on adding the emergency clause and was approved by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose. The roll was called and Ordinance/Resolution No. 125-23 passed by the yea votes of D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields.

Ord. 126-23

An Ordinance amending Ordinance No. 40-23, passed February 27, 2023, relative to the 2023 Concrete Street Repair Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 126-23, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 126-23, seconded by Mr. Simpson. Mr. Patton noted this is to ask for additional funds for a street repair program. 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. 126-23 passed by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 127-23

An Ordinance authorizing the Mayor to enter into a Settlement Agreement and Release between the City of Medina and Access Information Management Corporation. Mr. Shields moved for the adoption of Ordinance/Resolution No. 127-23, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 127-23, seconded by Mr. Simpson. Mr. Huber noted that they reached an agreement with the attorney representing Access that results in a return of all the records that they kept for us to the extent that they can find them and are still looking for some. This agreement resolves the litigation that is pending in a common pleas court. The roll was called on adding the emergency clause and was approved by the yea votes of J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and R. Haire. The roll was called and Ordinance/Resolution No. 127-23 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire and J. Hazeltine.

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Ord. 128-23

An Ordinance amending Ordinance No. 221-22, passed December 12, 2022. (Amendments to 2023 Budget) Mr. Shields moved for the adoption of Ordinance/Resolution No. 128-23, seconded by Mr. Simpson. Mr. Dirham stated that most of these are pass throughs and there are some increases regarding the pool. The roll was called and Ordinance/Resolution No. 128-23 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb.

Council Comments

Mr. Simpson – Be Kind to one another.


Mr. Shields reminded the public that on Tuesday, September 5th at 7 p.m. he and Ms. Haire will be hosting a Ward 3 & Ward 4 meeting with all of council and administration at Ella Canavan Elementary School. Park on south side and enter through the cafeteria.

Ms. Haire suggested bringing questions for them.


It was moved by Mr. Shields and seconded by Mr. Simpson to enter into Executive Session at 8:10 pm. for Conferences with the City’s Law Director concerning disputes involving the City which are the subject of pending or imminent court action. The roll was called and passed by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose.

Adjournment

Executive Session adjourned at 8:30 p.m. City Council reconvened, and there being no further business adjourned at 8:30 p.m. as well.



Kathy Patton, Clerk of Council



John Coyne, President of Council