

**CITY OF MEDINA
AGENDA FOR COUNCIL MEETING**

September 28, 2020
Medina City Hall
7:30 p.m.

Call to Order.

Roll Call.

Reading of minutes. (September 14, 2020)

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. 164-20, Res. 165-20, Ord. 166-20, Res. 167-20, Ord. 168-20, Ord. 169-20, Ord. 170-20, Ord. 171-20

Res. 164-20

A Resolution commending Deputy Finance Director Lori Bowers for her outstanding service to the City of Medina.

Res. 165-20

A Resolution donating twenty-one (21) Optiplex computers to the Medina City Schools.

Ord. 166-20

An Ordinance authorizing the Mayor to execute Preliminary Legislation with the Ohio Department of Transportation (ODOT) for the SR 18 Corridor Improvement Project.

(emergency clause requested)

Res. 167-20

A Resolution supporting the Friends of the Cemetery's application to ArbNet seeking to designate Spring Grove Cemetery as an official Arboretum.

Ord. 168-20

An Ordinance amending Rule VIII (K) (2) of the Civil Service Rules and Regulations of the City of Medina relative to Probationary Periods for All Original Appointments.

Ord. 169-20

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

Ord. 170-20

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

Ord. 171-20

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

Council Comments.

Adjournment.

Call to Order:

Medina City Council met in regular session on Monday, September 14, 2020. The meeting was called to order at 7:30 p.m. by President of Council John Coyne who led in the Pledge of Allegiance.

Roll Call:

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

Also present were the following members of the Administration: Mayor Dennis Hanwell, Keith Dirham, Greg Huber, Patrick Patton, Nino Piccoli, Chief Kinney, and Kathy Patton.

Minutes:

Mr. Shields moved that the minutes from the regular meeting on August 24, 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, and E. Heffinger.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated they met prior to this evenings Council Meeting and will meet again in 2 weeks.

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

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb had a meeting to discuss three items, they were tethering of dogs, feeding wild animals, and demolition permits. Tethering of dogs was determined that legislation was already being met by state and was not passed. There was a lot discussion on feeding wild animals and demolition permits but no vote, will return to both of those next month.

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

Water & Utilities Committee: Mrs. Hazeltine was absent.

Emerging Technologies Committee: Mr. Rose had no report.

Requests for Council Action:

Finance Committee

20-175-9/14 – Budget Amendments

20-176-9/14 – Donation of old Computers to Medina City Schools

20-177-9/14 – Revision of Civil Service Rule VIII (K)(2)

20-178-9/14 – Expenditure Over \$15,000 – CTL Engineering, Inc.

20-179-9/14 – Resolution of Support – Spring Grove Arboretum Designation – FOC

20-180-9/14 – Preliminary Legislation – ODOT – SR 18 Improvement Project

Reports of Municipal Officers:

Dennis Hanwell, Mayor, had the following prepared report:

- 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 County Health Dept. website. Please continue to support our local businesses.
- B. **New Parking Deck/TIF-** The deck is now open and available to the public.
- 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. I stopped up at 10 a.m. Saturday, September 12th, for Customer Appreciation recognition, thanks for supporting Farmers Market and encouraged the attendees to visit and support our local businesses.
- E. **State of the City** was presented to Medina City Council and Medina Area Chamber of Commerce. Links will be on city website, www.medinaoh.org
- F. Patriot's Day Reflection Ceremony at 911 Memorial south of Fire Station 1 was Friday, September 11th at 10 a.m. Keith Dirham and I attended. Next year going to have group of Pastors dedicate memorial on 20th anniversary.
- G. **Halloween-** Trick or Treat will be held this year- October 31, 6 p.m. – 8 p.m. Encourage masks, social distancing, and other precautions for COVID. Please avoid houses with lights off as residents may be elderly, immunity compromised or both.
- H. **Fiber to the home-** please take survey at this link- www.Medina.LitCommunities.net

Lori Bowers, Deputy Finance Director, stated they implemented their new software last week and the utility billing accounts have new account numbers. If anybody is having issues trying to do online bill pay, you can just call our office and we will give them their new number. The new numbers will show up on the bills that go out the beginning of next month.

Greg Huber, Law Director, had no report.

Chief Kinney, Police Department, stated the Police Department has seen an increase of vandalism and theft of political signs here recently. If your signs have been stolen or tampered with, please call the Police Department so that we can track these incidents. It is important for everybody to understand that anyone engaging in that type of activity can be charged with theft, criminal damage, and criminal trespassing and those are some fairly serious offenses for essentially a juvenile act. He asks that everyone is respectful of their neighbor's property.

Kimberly Marshall, Economic Development Director, Stated the Ohio Means Jobs office is partnering with Spray Products Corp for two virtual career fairs to be held on Thursday, September 17th and Tuesday the 22nd from 9 a.m. to 12 p.m. Need to hire between 100 and 200 people immediately with 17 different job openings. Online interviews can contact Shawn Thomas at 330-441-0409 email: shon.thomas@medinaomj.org

Jonathan Mendel, Planning Community Director, had no report.

Chief Painter, Fire Department, was absent.

Mike Wright, Rec. Center Director, was absent.

Jansen Wehrley, Parks and Recreation Director, stated a good portion of our single track mountain bike trail at Huffman Cunningham is going to be closed for quite some time due to flooding and causing damage to many of the bridges. We have volunteers and Parks department staff working to get some of those fixed.

Update on Sports Associations – Medina Youth Grid Iron, Medina Girl Softball Association and Medina Soccer are all planning fall seasons following the guidelines for responsible restart Ohio and have developed action plans to designate certain people to insure all participants are compliant.

Dan Gladish, Building Official, had no report.

Patrick Patton, City Engineer, reported that the South Broadway Street project is complete and officially opened today.

Nino Piccoli, Service Director, had no report.

Notices and petitions:

Liquor Permit:

Not to object to the transfer of a D1, D2, D3 and D6 permit to IBC Bars LLC, dba Diner 42, 665 Lafayette Rd., Medina from Wings Etc of Marietta LLC, 101 Crooked Run Lane, Marietta, Ohio 45750. Mr. Shields moved not to object, seconded by Mr. Simpson. The roll was called and passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, E. Heffinger, and B. Lamb.

Unfinished Business:

Res. 144-20 (tabled)

Introduction of Visitors:

Mike Ryan resides at 155 Roshon Dr. in Medina. There is a very wide disparity on a yes vote and a no vote over the Save the Courthouse issue and the ballot language. What exactly are the benefits and consequences of a yes vote and what are the benefits and consequences of a no vote?

Mr. Coyne stated the facts regarding the combined courthouse project with the county:

- Estimated budget for combined project is \$38 million dollars
- \$8 million is the city of Medina's responsibility and \$30 million is the responsibility of the County of Medina.
- Ballot issue is only going to be voted on by City of Medina residents.
- A building will be constructed on the east side of the square behind the current existing buildings of the old 1843 courthouse and 1969 courthouse and the prosecutor's office building.
- None of the buildings that are currently existing on the east side of the square are going to be torn down for this project.
- 129,600 sq. ft. size of new building. City will occupy 27,013 sq. ft. of that.
- If you **VOTE YES** you are saying yes you do not want the city to move forward with this project, I want the city to not do the project with Medina County, they can do something else.
- Latest cost to build a separate Municipal Court building by City Hall was \$9.3 million dollars.
- City residents are County residents and to save money for tax payers means combining efforts with efficiencies such as security entrances, having one building housing all of the court facilities in the county except for Wadsworth Municipal Court since they are in Wadsworth. Electricity can be shared along with HVAC. We

already have the parking deck that can accommodate 360 spaces for parking and all these things combined give a better approach of working together.

- If you **VOTE NO** you are saying yes you want the city to participate.
- This vote **WILL NOT** stop the tearing down of the existing courthouse because they are not being torn down.
- Mayor Hanwell added that the 69 building would not be saved if it were not for the efforts of the City Council and the Administration to meet with the Commissioners and express that there is a strong desire on behalf of the citizens of Medina to keep that same look on the square, and that is exactly what the Commissioners agreed to do. Additional efficiencies are also only having to have one elevator to share, sharing meeting rooms, and sharing restrooms. It is also efficient for the attorney's that are there to not have to be running 2 blocks back and forth from courts. The money that has been spent thus far for the engineering for the design for the preliminary drawings to see if it would all work, and then now to just say that is money out the window and start fresh.
- To have renovated the current 69 building means moving employees out and the estimated cost for the county to move all the common pleas courts, domestic courts and probate was \$2 million.

Mr. Coyne stated they will be putting together a fact sheet to make the public aware so that they can be informed voters.

Chuck Johnson resides at 3298 Foster Rd. in Medina Township, he came to introduce himself as the newly elected Township Trustee.

Introduction and Consideration of Ordinances and Resolutions:

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

Ord. 152-20, Res. 153-20, Ord. 154-20, Ord. 155-20, and Ord. 156-20, Ord. 157-20. Ord. 158-20, Ord. 159-20, Ord. 160-20, Ord. 161-20, Ord. 162-20 and Ord. 163-20. Mr. Shields motioned to suspend the rules requiring three readings, seconded by Mr. Simpson. The roll was called and the motion to suspend passed by the yea votes of J. Shields, D. Simpson, J. Coyne, E. Heffinger, B. Lamb, and P. Rose.

Ord. 152-20:

An Ordinance authorizing the purchase of one (1) 2021 Dodge Durango AWD Mid-size SUV from Fred Martin Superstore for the Building Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 152-20, seconded by Mr. Simpson. Mr. Gladish stated that this is a planned budgeted purchase for a replacement vehicle for the Building Permits and Inspection Department. Dan stated it is going to be a 2021 model and there is a slight not to exceed price increase on this. The roll was called and Ordinance/Resolution No. 152-20 passed by the yea votes of D. Simpson, J. Coyne, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

Res. 153-20:

A Resolution authorizing the Mayor to submit a grant application with the Ohio Environmental Protection Agency (OEPA) for Electric Vehicle Charging Stations for the City Hall Parking Deck. Mr. Shields moved for the adoption of Ordinance/Resolution No. 153-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 153-20, seconded by Mr. Simpson. Mr. Patton stated this is funded through the State of Ohio Environmental Protection Agency and is intended to install electrical

vehicle charging stations throughout key points of the State of Ohio. Medina City will be applying for 8 level II chargers and are asking for the emergency clause due to application being returned by September 30th. Mr. Coyne stated it is his understanding that these are four separate stations but 8 separate charging receptacles. Patrick stated if we are awarded these they will be in by late spring. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, J. Coyne, E. Heffinger, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 153-20 passed by the yea votes of J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 154-20:

An Ordinance authorizing the purchase of two (2) 2020 Ford Explorer Interceptors from Lebanon Ford for the Police Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 154-20, seconded by Mr. Simpson. Chief Kinney stated these are budgeted and state bid. The roll was called and Ordinance/Resolution No. 154-20 passed by the yea votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 155-20:

An Ordinance authorizing the Mayor to approve the trade-in of two (2) 2015 Police cruisers and accept \$8,000.00 toward the purchase of two (2) new cruisers from Lebanon Ford for the Police Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 155-20, seconded by Mr. Simpson. The roll was called and Ordinance/Resolution No. 155-20 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and E. Heffinger.

Ord. 156-20:

An Ordinance authorizing the Mayor to advertise for the auction, sale or disposal of City equipment and vehicles no longer in use. Mr. Shields moved for the adoption of Ordinance/Resolution No. 156-20, seconded by Mr. Simpson. Nino stated this is the annual city auction and the tentative date is for Saturday, October 17th, 2020 held at the City garage on 781 West Smith Rd. The roll was called and Ordinance/Resolution No. 156-20 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, E. Heffinger, and B. Lamb.

Ord. 157-20:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the West Liberty Storm Sewer Improvement/City Hall Parking Deck Detention Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 157-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 157-20, seconded by Mr. Simpson. Mr. Patton stated this originally was going to be the responsibility of our contractor. Asking for the emergency clause because it needs a more permanent result. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, J. Coyne, E. Heffinger, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 157-20 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, E. Heffinger, B. Lamb, and P. Rose.

Ord. 158-20:

An Ordinance authorizing the Mayor to enter into a LPA Federal Local-Let Project

Agreement with the Ohio Department of Transportation (ODOT) for the West Smith Road, Phase 4 Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 158-20, seconded by Mr. Simpson. Mr. Patton stated this is to enter into a LPA Federal Local-Let Project Agreement with ODOT for the Medina City Job #1025. The roll was called and Ordinance/Resolution No. 158-20 passed by the yea votes of J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 159-20:

An Ordinance authorizing the Mayor to enter into an Agreement with American Structurepoint, Inc. to provide design services for the West Smith Road, Phase 4 Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 159-20, seconded by Mr. Simpson. Mr. Patton stated this is to engage with this consultant that is prequalified in several different areas. The roll was called and Ordinance/Resolution No. 159-20 passed by the yea votes of D. Simpson, J. Coyne, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

Ord. 160-20:

An Ordinance authorizing the Mayor to enter into an Improvement Agreement with the Medina Community Design Committee for repainting and repair to the City's Interurban Ticket Building. Mr. Shields moved for the adoption of Ordinance/Resolution No. 160-20, seconded by Mr. Simpson. Mr. Mendel stated this project will paint and do minor repair work to the Interurban building. Mr. Lamb will abstain from voting since he is a member of the CDC Board. The roll was called and Ordinance/Resolution No. 160-20 passed by the yea votes of E. Heffinger, P. Rose, J. Shields, D. Simpson, and J. Coyne. B. Lamb abstained.

Ord. 161-20:

An Ordinance authorizing the Mayor to execute a Revocable Use Permit with Beacon Farmers Exchange LLC for a projecting sign for the Medina Brew Company business at 320 South Court Street. Mr. Shields moved for the adoption of Ordinance/Resolution No. 161-20, seconded by Mr. Simpson. Mr. Mendel stated this is to allow a projecting sign over the South Court St. right-of-way. The roll was called and Ordinance/Resolution No. 161-20 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and E. Heffinger.

Ord. 162-20:

An Ordinance authorizing the Mayor to enter into an agreement with Friends of the Cemetery for Cemetery Drainage Improvements at Spring Grove Cemetery. Mr. Shields moved for the adoption of Ordinance/Resolution No. 162-20, seconded by Mr. Simpson. Mr. Wehrley stated this is for a drainage project in Sections 11 and 12. Upon completion of the project, the Friends of the Cemetery want the city to accept this improvement as a gift. The project estimate is just a little over \$26,000.00. Jansen thanked the Friends of the Cemetery for spearheading this effort, drainage has been a significant issue in these sections and he looks forward to getting it improved. Mr. Simpson echoed what Jansen stated about the Friends of the Cemetery, they are stepping up and this cost is over \$26,000.00, will be a great improvement, and is truly appreciated. The roll was called and Ordinance/Resolution No. 162-20 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, E. Heffinger, and B. Lamb.

Ord. 163-20:

An Ordinance amending Ordinance No. 187-19, passed November 25, 2019. (Amendments to 2020 Budget). Mr. Shields moved for the adoption of Ordinance/Resolution No. 163-20, seconded by Mr. Simpson. Lori Bowers stated these are adjustments to the budget and new appropriations for the Cares Act Funds that we received and some grants that we received. The roll was called and Ordinance/Resolution No. 163-20 passed by the yeas and nays of J. Shields, D. Simpson, J. Coyne, E. Heffinger, B. Lamb, and P. Rose.

Council Comments:

Mr. Coyne clarified to Mr. Ryan about where this \$8 Million dollars for the city's portion is coming from. He reiterated that the city is not borrowing any money to build the courthouse. We saved for this both through the court efforts and the city efforts. The city has a Special Projects Fund and it has about \$4.3 million dollars in it right now and we will be using that money to pay for a portion of the courthouse together with re-implementing the fee to help pay for additional funding for that and the City has saved up enough money in the 301 account which is our capital project account to pay for it without borrowing any money.

Denny thanked Debra Hallock and Jinny Pritchard for starting a Go-Fund-Me page for Porter Shoes and Repair on West Liberty Street. Phyllis and Herb have had their business there for decades. He reminded people to please support our local businesses. Even though they are able to remain open, their foot traffic and number of people that would normally visit their business have been cut drastically and a lot of people are suffering. Support our community members that are in need. Be kind to one another.

Mr. Rose thanked Patrick Patton for answering all the questions he had on the vehicle charging stations.

There being no further business before Council, the meeting adjourned at 8:13 p.m.

Kathy Patton, CMC - Clerk of Council

John M. Coyne, President of Council

RESOLUTION NO. 164-20

A RESOLUTION COMMENDING DEPUTY FINANCE DIRECTOR LORI BOWERS FOR HER OUTSTANDING SERVICE TO THE CITY OF MEDINA.

WHEREAS: *Lori Bowers* has worked for the City of Medina since April 30, 2012 in the roles of Accounts Payable Clerk and Payroll Clerk, and was appointed the Deputy Director of Finance on May 8, 2017; and

WHEREAS: During the past year, Lori has taken on the difficult task of completely converting and upgrading the City's accounting system. As of September 4, 2020, the City now has implemented VIP software that is a major upgrade to purchasing, budgeting, payroll, utility billing, receivables, banking, asset management, general ledger and reporting, with safeguards in place to protect the City against fraud, and has the ability to provide employees with many tools to do their jobs more accurately and efficiently, and;

WHEREAS: Her attitude, attention to detail, and genuine dedication since undertaking this enormous task which required an immense amount of time and effort; along with new challenges she has had to face due to the COVID-19 pandemic - all while performing her normal job requirements, has been above and beyond.

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

SEC. 1: That Medina City Council, along with the Mayor and Administration, extend our heartfelt appreciation and sincere thanks to *Lori Bowers* for her valuable service and dedication to the City of Medina.

PASSED: _____

SIGNED: _____
President of Council Pro-Tem

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Acting Mayor

RESOLUTION NO. 165-20

**A RESOLUTION DONATING TWENTY-ONE (21) OPTIPLEX
COMPUTERS TO THE MEDINA CITY SCHOOLS.**

WHEREAS: The City of Medina recently upgraded some of the computers at Medina City Hall and;

WHEREAS: The City would like to donate twenty-one (21) Optiplex computers to the Medina City Schools that are no longer needed by the City but can be utilized by the school system.

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

SEC. 1: That Council hereby approves the donation of twenty-one (21) Optiplex computers to the Medina City School System.

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

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

PASSED: _____

SIGNED: _____
President of Council Pro-Tem

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Acting Mayor

Res. 165-20

Make	Model	Serial #	Pro Wants?
Dell	Optiplex 9010	F5117Y1	Yes
Dell	Optiplex 9010	F5427Y1	Yes
Dell	Optiplex 9020	48J4H02	Yes
Dell	Optiplex 9010	F4W07Y1	Yes
Dell	Optiplex 9020	48Q1H02	Yes
Dell	Optiplex 9010	F4W17Y1	Yes
Dell	Optiplex 9020	48C2H02	Yes
Dell	Optiplex 9020	4874H02	Yes
Dell	Optiplex 9010	F5337Y1	Yes
Dell	Optiplex 9020	48N3H02	Yes
Dell	Optiplex 9010	F4V17Y1	Yes
Dell	Optiplex 9020	4863H02	Yes
Dell	Optiplex 9020	4884H02	Yes
Dell	Optiplex 9020	48G3H02	Yes
Dell	Optiplex 9010	F4Q27Y1	Yes
Dell	Optiplex 9020	48K3H02	Yes
Dell	Optiplex 9020	48L4H02	Yes
Dell	Optiplex 9010	F5017Y1	Yes
Dell	Optiplex 9010	F4Q37Y1	Yes
Dell	Optiplex 9020	48J3H02	Yes
Dell	Optiplex 9020	48P1H02	Yes

ORDINANCE NO. 166-20

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE PRELIMINARY LEGISLATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE SR 18 CORRIDOR IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.

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

- SEC. 1:** That the Mayor be and is hereby authorized and directed to execute Preliminary Legislation with the Ohio Department of Transportation (ODOT) for SR18 Corridor Improvement Project.
- SEC. 2:** That a copy of said Preliminary Legislation is marked Exhibit A, attached hereto and incorporated herein.
- SEC. 3:** That the funds to cover this project are available in the 108 Street Fund.
- SEC. 4:** 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. 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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason this legislation must be adopted and returned to ODOT before October 8, 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 Pro-Tem

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Acting Mayor

PRELIMINARY LEGISLATION

Ordinance/Resolution No.

Ord. 166-20

PID No. 92953

Project Name:

MED SR 0018 12.99

The following Ord. 166-20 enacted by the City of Medina of Medina County,
(Ordinance/Resolution)
Ohio, hereinafter referred to as the City, in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the State has identified the need for the described project:

This project consists of widening and reconstructing 2.13 miles of SR18 from just west of Alber Drive in the city of Medina to the intersection of Nettleton Road in Medina and Montville Townships, Medina County.

The project will widen to three lanes any two-lane sections from MED-18-12.99 (310 feet west of Alber Drive) to approximately 900 feet west of Foote Road. The project will widen to five lanes from 900 feet west of Foote Road to River Styx Road and to seven lanes from River Styx Road to Nettleton Road.

Access Roads will be built for access management purposes on both the north and south sides of SR 18 and will be called N. Frontage Rd and S. Frontage Rd.

Traffic signals will be replaced at intersections. A 10 ft. wide multi-use path will be installed on the south side of SR 18 from Woodland Avenue to Nettleton Road. Additionally, a new structure over the West Branch of the Rocky River will be constructed for the multi-use path.

The City of Medina water line replacements will be constructed.

The Medina County water lines that are within the existing right of way that will be impacted by this project will be replaced. This work includes service lines, valves, fire vault, fire hydrants, etc. and will also include betterments and additional work as requested by the Medina County Sanitary Engineer.

River Styx Road (Medina County Road 49) will be widened to three lanes from SR 18 to 296 feet south of East Smith Road (Medina County Road 4). Additional work on River Styx Rd includes installation of New Storm Drainage, Traffic Signals and Signage.

Foote Road (County Road 191) will be widened at SR 18 in both the north and south direction for a total length of about 1,500 ft.

Construction is tentatively scheduled to begin in the calendar year 2021 construction season.

NOW THEREFORE, be it ordained by the City of Medina of Medina County, Ohio.

SECTION II - Consent Statement

Being in the public interest, the City gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The City shall cooperate with the Director of Transportation, for the portion of this project within the Medina Corporation limit, as follows:

Right of Way Phase

- 1) *The City has agreed to assume and bear \$250,000 to go towards right of way acquisition for this project. The city has already paid these funds to ODOT;*

Construction Phase

- 2) *The City agrees to assume and bear all the costs for any city waterline replacements that are owned by the city but outside of the city. This water line work outside of the city is not project eligible and will be 100% city cost. The estimated cost for construction is \$131,000 and \$9,200 for construction engineering costs (inspection);*

SECTION IV - Maintenance

Upon completion of the described Project, and unless otherwise agreed, the City shall:

- 1) Provide adequate maintenance for the described Project in accordance with all applicable state and federal law;
- 2) Provide ample financial provisions, as necessary, for the maintenance of the described project;
- 3) Maintain the right-of-way, keeping it free of obstructions; and hold said right-of-way inviolate for public highway purposes.

PID No. 92953
Project Name: MED SR 0018 12.99

SECTION V – Utilities and Right-of-Way Statement

If city owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the city will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

If other public and private utilities need to be relocated due to this ODOT project they will not be reimbursed for relocation; with exceptions due to an easement, etc.

Passed: _____, 20____.
(Date)

Attested: *Kathy Fallon*
(Clerk)

Clerk of Council
(Officer of City - title)

Attested: _____
(Title)

(President of Council) *JAMES A. SHIELDS*
Pro-Tem

This *Ord. 166-20* is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.
(Ordinance/Resolution)

CERTIFICATE OF COPY
STATE OF OHIO
City of Medina of Medina County, Ohio

I, Stephy Patton, as Clerk of the City of Medina of Medina County, Ohio,

Do hereby certify that the foregoing is a true and correct copy of Ord. 166-20 adopted by
(Ordinance/Resolution)
the legislative Authority of the said City of Medina on this _____ day of _____, 2020,

that the publication of such Ord. 166-20 has been made and certified of record according to
(Ordinance/Resolution)
law; that no proceedings looking to a referendum upon such Ord. 166-20 have been taken;
(Ordinance/Resolution)

and that such Ord. 166-20 and certificate of publication thereof are of record in
(Ordinance/Resolution)

2020, Page 166.
(Ordinance/Resolution)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal, if applicable, this _____ day of _____, 2020,

(SEAL)
(If Applicable)

Clerk Signature
City of Medina of Medina County, Ohio.

The foregoing is accepted as a basis for proceeding with the project herein described.

For the City of Medina of Medina County, Ohio

Attest: _____

_____, Date _____
Contractual Officer John M. Coyne, Acting Mayor

For the State of Ohio

Attest: _____

_____, Date _____
Director, Ohio Department of Transportation

RESOLUTION NO. 167-20

A RESOLUTION SUPPORTING THE FRIENDS OF THE CEMETERY'S APPLICATION TO ARBNET SEEKING TO DESIGNATE SPRING GROVE CEMETERY AS AN OFFICIAL ARBORETUM.

WHEREAS: The Friends of the Cemetery (the "Friends"), an Ohio not for profit corporation, is interested in the preservation and enhancement of Spring Grove Cemetery; and

WHEREAS: Since 1997, the Friends of the Cemetery have been committed to investing into the preservation, beautification, maintenance, and establishment of the trees and gardens at Spring Grove. In the early part of 2020, the Friends of the Cemetery contracted Bartlett Tree Expert Company to conduct a tree survey and develop a management plan for the collection at Spring Grove. The Friends have discussed applying for Arboretum Accreditation with the Cemetery Commission and have taken the steps necessary to apply for a Level 1 or potentially Level II Arboretum; and

WHEREAS: The Friends have recently spent \$14,050.00 for the tree survey and management plan at Spring Grove and are committed to spend approximately \$80,000 in 2020/2021 to begin work identified in the management plan; and

WHEREAS: The Parks Department fully supports this request and appreciates the Friends of the Cemetery's ongoing commitment to making Spring Grove a special place for all those who visit.

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

SEC. 1: That the City of Medina hereby supports the Friends of the Cemetery's application to ArbNet seeking to designate Spring Grove Cemetery as an official Arboretum.

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

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

PASSED: _____

SIGNED: _____

President of Council Pro-Tem

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Acting Mayor

ORDINANCE NO. 168-20**AN ORDINANCE AMENDING RULE VIII (K) (2) OF THE CIVIL SERVICE RULES AND REGULATIONS OF THE CITY OF MEDINA RELATIVE TO PROBATIONARY PERIODS FOR ALL ORIGINAL APPOINTMENTS.**

WHEREAS: Ordinance No. 74-16, passed May 23, 2016, adopted revised Civil Service Rules and Regulations; and

WHEREAS: Rule VIII (K) (2) of the Civil Service Rules and Regulations relative to Probationary Periods for Original Appointments presently reads as follows:

2. Probationary Period

All original appointments, including provisional appointments, shall be for a probationary period, from first work day, of not less than six (6) months (sixty (60) days for City Schools Civil Service employees) except that the following original appointments shall serve a probationary period of one (1) year or period stated in the collective bargaining agreement, in force at time of hire, for any individual stated below who is a member of a union:

- a. Appointees to Patrol Officer in the Police Department
- b. Appointees to Secretary to the Civil Service Commission
- c. **Appointees to Police Communication/Records Supervisor (Ord 45-06)**
- d. Appointees to Police Communications Operator
- e. Appointees to Police Records Clerk

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

SEC. 1: That Rule VI I (K) (2) of the Civil Service Rules and Regulations relative to Probationary Periods for Original Appointments shall be amended to read as follows:

2. Probationary Period

All original appointments, including provisional appointments, shall be for a probationary period, from first work day, of not less than six (6) months (sixty (60) days for City Schools Civil Service employees) except that the following original appointments shall serve a probationary period of one (1) year or period stated in the collective bargaining agreement, in force at time of hire, for any individual stated below who is a member of a union:

- a. Appointees to Patrol Officer in the Police Department

- b. Appointees to Secretary to the Civil Service Commission
- e. ~~Appointees to Police Communication/Records Supervisor (Ord 45-06)~~
- c. Appointees to Police Communications Operator
- d. Appointees to Police Records Clerk
- e. **Appointees to Police Chief**
- f. **Appointees to Fire Chief**

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.

PASSED: _____

SIGNED: _____
President of Council Pro-Tem

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Acting Mayor

ORDINANCE NO. 169-20

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>
104-0305-53322 (Check- Odd Fellows)	250.00 *
106-0101-53311 (Donation to Police Dept.)	25.00 *
001-0704-52225 (Law Dept.-Legal Services)	60,000.00 *
001-0704-52226 (Law Dept.-Professional Services)	21,000.00 *
170-0707-53315 (CARES Act Funds 481)	269,700.84 *
106-0101-50111 (Check #21791 from Alternative Paths)	1,500.00 *
102-0145-53321 (Grant Projects)	80,000.00
102-0610-50111 (Grant Projects)	5,000.00
102-0610-51131 (Grant Projects)	5,000.00
102-0610-52213 (Grant Projects)	8,000.00
102-0610-52214 (Grant Projects)	1,000.00
102-0610-53311 (Grant Projects)	1,000.00
102-0610-53313 (Grant Projects)	20,000.00
102-0610-53315 (Grant Projects)	15,000.00
102-0610-53321 (Grant Projects)	45,000.00
102-0610-54413 (Grant Projects)	20,000.00
106-0190-50111 (Grant Projects)	7,179.73
109-0659-54411 (Grant Projects)	95,950.00 *
001-0707-56615 (Grant Projects)	95,950.00 *
109-0726-54411 (Grant Projects)	70,666.00 *
001-0707-56615 (Grant Projects)	70,666.00 *
147-0659-54411 (Grant Projects)	150,000.00 *
001-0707-56615 (Grant Projects)	150,000.00 *
160-0705-53321 (Grant Projects)	20,000.00 *
168-0705-56611 (Grant Projects)	38,500.00 *
301-0210-52213 (Grant Projects)	9,613.22 *
301-0707-52215 (Grant Projects)	8,560.19 *
301-0707-54412 (Grant Projects)	21,047.00 *
301-0725-54412 (Grant Projects)	75,000.00 *
301-0726-54411 (Grant Projects)	152,260.00 *
418-0718-54411 (Grant Projects)	253,849.00 *

Ord. 169-20

546-0530-53313 (Grant Projects)	15,000.00 *
546-0530-54413 (Grant Projects)	10,832.57 *
547-0658-54411 (Grant Projects)	25,000.00 *
547-0659-54411 (Grant Projects)	53,050.00 *
001-0707-56615 (Grant Projects)	400,000.00 *
001-0707-56611 (Grant Projects)	60,000.00 *

SEC. 2: That Ordinance No. 187-19, passed November 25, 2019, shall be amended by the following reductions:

<u>Account No./Line Item</u>	<u>Reductions</u>
102-0620-50111 (Grant Projects)	80,000.00
102-0545-54417 (Grant Projects)	5,000.00
102-0615-50111 (Grant Projects)	5,000.00
102-0545-54417 (Grant Projects)	8,000.00
102-0545-54417 (Grant Projects)	1,000.00
102-0545-54417 (Grant Projects)	1,000.00
102-0615-53312 (Grant Projects)	20,000.00
102-0545-54417 (Grant Projects)	15,000.00
102-0615-53321 (Grant Projects)	45,000.00
102-0545-54417 (Grant Projects)	20,000.00
106-0101-52211 (Grant Projects)	7,179.73

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.

* - new appropriation

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 170-20

AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO MAKE CERTAIN FUND ADVANCES.

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

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

- \$95,950.00 from General Fund (#001) to Grants Fund (#109) Airport Remarketing, ODOT Funds (Acct. No. 109-0659)
- \$70,666.00 from General Fund (#001) to Grants Fund (#109) Mid Block Crossing Project, OFCC Funds (Acct. No. 109-0726)
- \$150,000.00 from General Fund (#001) to Fed Airport Grant Fund (#147) FY20 Land Improvements - #1070 Obstruction Removal Study (Acct. No. 147-0659)
- \$400,000.00 from General Fund (#001) to Airport Fund (#547) Airport, various projects in Fund 547-0658 and 547-0659

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

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

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

PASSED: _____

SIGNED: _____
President of Council Pro-Tem

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Acting Mayor

ORDINANCE NO. 171-20

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

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

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

- \$60,000.00 from 001 General Fund to 140 Parking Fund

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

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

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

PASSED: _____

SIGNED: _____
President of Council Pro-Tem

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Acting Mayor