

MEDINA CITY COUNCIL
Monday, September 9, 2019

Mayor Dennis Hanwell – State of the City Address, 6:00 p.m. - City Hall Rotunda

Opening:

Medina City Council met in regular, open session on Monday, September 9, 2019. 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 J. Shields, D. Simpson, B. Starcher J. Coyne, E. Heffinger, B. Lamb and P. Rose.

Also present were the following members of the Administration: Mayor Dennis Hanwell, Keith Dirham, Greg Huber, Patrick Patton, Nino Piccoli, Chief Kinney, Chief Painter, Mike Wright, Kimberly Marshall, Dan Gladish, Janson Wehrley and Jonathon Mendel.

Minutes:

Mr. Shields moved that the minutes from the regular meeting on August 26, 2019 as prepared and submitted by the Clerk be approved. The roll was called and the motion passed by the yeas votes of D. Simpson, B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose and J. Shields.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated the Finance Committee met prior to the Council meeting this evening and will meet again in two weeks.

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

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb no report.

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

Water & Utilities Committee: Mr. Starcher had no report.

Emerging Technologies Committee: Mr. Rose stated he has a meeting scheduled on September 24th following the budget meeting.

Requests for Council Action:

Finance Committee

19-151-9/9 – 2019 City Auction

19-152-9/9 – Request to Designate October 4, 2019 as “Made in Medina County Day”

19-153-9/9 – Expenditure for Holiday Lighting

19-154-9/9 – RFP’s Drug Screen and Related Professional Services

19-155-9/9 – Request Transfer of City Land to Medina City Development Corp (CIC)

19-156-9/9 – Purchase (1) 2020 F-150 4x4 Pickup Truck & (1) 2020 Cab & Chassis

19-157-9/9 – Expenditure Over \$15,000 – Chippewa Roofing – Fire

Medina City Council
September 9, 2019

- 19-158-9/9 – Grant Application – FAA – N-S Taxiway at Airport
- 19-159-9/9 – Grant Application – ODOT Aviation – N-S Taxiway at Airport
- 19-160-9/9 – Delta Airport Consultants – Task Order #2
- 19-161-9/9 – Purchase 2020 Chevrolet 5500HD LCF – Cemetery
- 19-162-9/9 – Right-of-Way Agreement – Wheeling & Lake Erie Railway

Emerging Technologies Committee

- 19-163-9/9 – Update Financial Software for City – Software Solutions

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported

- 1) Parking Deck - Construction of parking deck south of Medina City hall commenced the week of Labor Day. Long term lots will be available at Castle Noel lot; Feckley lot on north side of Thyme2; County Courthouse parking deck; County Administration lot extension off E. Liberty Street; parking lot between W. Liberty and W. Washington with Huntington bank drive through; Muni Court lot is available on weekends and evenings; 3 hour lots were established at open areas of lot between Sully's and Porters, as well as lot at the southeast corner of Elmwood and W. Liberty.
- 2) Utility drop boxes have been moved to Municipal Court lot; working on getting post office to move their box to Municipal Court lot too; mini library will be placed at 3 hour lot at SE corner of Elmwood and W. Liberty; customer 15 min. parking is posted on W. Friendship adjacent to the Medina County Historical Society; handicap spots were established at city hall, near corner of W. Friendship and N. Elmwood.
- 3) Congratulations to Kiwanis of Medina for 100 years serving Medina!
- 4) Farmers Market each Saturday on Square 9 a.m. to 1 p.m. until mid-October.
- 5) State of the City was presented to the Medina Chamber of Commerce on Tuesday, September 3rd, 11:30 a.m. at Williams on the Lake and to Council tonight. Will be available on Medina TV, city website, Facebook, and YouTube.
- 6) Annual India Festival USA will be held Saturday, September 14th at Independence High School from 10 a.m. to 7 p.m., 6001 Archwood Road, Independence, OH. Public is welcome and events and activities are free and he will be presenting a Proclamation on behalf of our city.
- 7) 9-11 Memorial Ceremony - to be held Wednesday, September 11th at 10 a.m. Public is welcome to attend at Medina Fire Station One. Respectfully ask public that may walk, to park behind the Cinema across N. Huntington to not cause issues for fire or LST unit response.

Keith Dirham, Finance, Keith reminded to support the renewal and increase levy for the Emergency Medical Service. The city splits this operation with the two townships of Medina Township and Montville Township and it is a partnership between them. We pay our city share through this levy. The reason for the increase is this levy has not been increased in 20 years and with the property tax levy we do not get inflationary increases on the collections and actually collections are less now than they were 20 years ago because the state has changed some things with the property tax. Costs have increased substantially for the Life Support Team, some of the equipment they use is a lot more expensive. Keith hopes that all will support this levy.

Greg Huber, Law Director, had no report.

Chief Kinney, Police Department, had no report.

Kimberly Marshall, Economic Development Director, stated the next round of ribbon cutting is Friday, September 20th at 10 a.m. for Echelon Independent Living Facility located at 629 N. Huntington St., 11 a.m. for New Leaf Massage and Wellness located at 1075 South Court St. in suite 200, 1 p.m. at 236 North State Road for Par-Take Kitchen, 2 p.m. for Hope Recovery Community at 200 Highland Drive, 3 p.m. for Bumble Bee Village LaLa Land for their childcare expansion project at 725 N. Court St., 4 p.m. at 696 E. Washington St. for Medina Summit Battered Women's Center and Rape Crisis Center. They will be taking the month of October off, however, they will be working on their next Made in Medina County Manufacturing Expo which is set for Friday, October 4th taking place at the Medina County Fairgrounds Community Center at 8 a.m. with keynote presentation by John Ratzemberger. His topic will be the importance of manufacturing in today's economy. Register online at www.madeinmedinacounty.com tickets are for the keynote presentation by John which includes breakfast and the cost is \$40.

Jonathan Mendel, Planning Community Director, had no report.

Chief Painter, Fire Department, reported their annual Fire Department Open House is Saturday, October 12th 11 a.m. – 2 p.m. There will be numerous safety vehicles, helicopter landing, displays and food for residents.

Mike Wright, Recreation Center Director, stated the next Rec Advisory Meeting is Thurs, September 19th at 7:30 a.m. at the recreation center.
Good luck to Ron Ross, School Board President, on his 200 mile run next week.

Jansen Wehrley, Parks and Recreation Director, had no report.

Dan Gladish, Building Official, had no report.

Patrick Patton, City Engineer, Patrick stated they had two projects start today. The South Elmwood Bridge and currently South Elmwood just south of West Smith Road is closed. Later this week unfortunately the entire intersection will be closed to allow for the reconstruction. They also started their concrete street repair project which is their annual program, replacing slabs of concrete at various areas throughout the city. Please be patient while roads are closed one lane at a time while work is going on.

Nino Piccoli, Service Director, reminded the residents the week of September 23rd they will be closing South Elmwood between West Washington and West Smith for resurfacing and during that time they will do their best to keep the parking lot open.

Notices, Communications and Petitions

There are none.

Unfinished Business:

Ord. 120-19:

An Ordinance rezoning the property at 1088 S. Court Street from R-3, High Density Residential to C-3, General Commercial. Mr. Shields moved for the adoption of Ordinance/Resolution No. 120-19, seconded by Mr. Simpson. Mr. Huber asked council to first consider the modification of the ordinance. Attorney Justin Eddy is present for the property owner. The modification of the ordinance changes the zoning from what had been proposed that we received from the Planning Commission which is C-3 to a less intense of C-1 zoning, however, in order to modify what the Planning Commission gave to us because they approved C-3 or to even deny what the Planning Commission gave to us, the Council has to deny or modify by a super majority vote which is $\frac{3}{4}$ of the Council requiring 6 out of 7. So if you were to deny what the Planning Commission already recommended it would take 6 of you. If you modify to C-1 it would take 6 of you. To simply pass C-3 which is the most intensive commercial zoning, would only require a majority.

Mr. Coyne stated their intentions are to listen to the residents on this and then entertain an amendment to the ordinance changing it from a C-3 to a C-1, and after that, take a vote on it to see if there is any council support for amending.

Mr. Hoek resides at 28 Pinewood Dr. and is a member on the Board of Trustees for Pinewood Condominium Association. They are here tonight to reassert their opposition of any rezoning of the lot at 1088 South Court St. Their objection to any rezoning which allows a commercial driveway at a critical and dangerous spot on South Court Street. At a meeting in July Attorney Eddy dismissed their comments opposing this rezoning. They have presented to council with evidence supporting the reasons for their opposition. This includes a testimonial signed by 72 voters and residents of homes in Pinewood expressing their opposition and a detailed sanction of State Route 3 where the proposed rezoning would add an eighth commercial driveway to an already congested narrow 2/10th's of a mile stretch of that roadway. Mr. Hoek spoke of the potential hazards in this already busy area. There are 7 commercial driveways serving 19 businesses.

Based on ODOT analysis of traffic volume at Lexington Ridge, there are 13,460 vehicles each day on route 3. This analysis was done in 2010 and it surely has increased due to the continued development on both sides of Route 3. There have been 16 traffic accidents in Medina south of Sturbridge in the past 30 months. He spoke of the stopping distance and how it would only be 100 feet from Pinewood. Mr. Hoek stated Attorney Eddy pointed out that Trillium Creek is not suing the city over what it sites as the arbitrary and unsupported decision of the BZA which refused its request for a conditional variance to current R-3 zoning at 1088 S. Court, it is only appealing the decision he indicated the appeal would be dropped if the requested rezoning were approved, he may just as well have added "or else". The owners, residents and many daily visitors to the Pinewood neighborhood also appeal, they appeal to council to recognize the dangerous conditions and negative impact to allowing an 8th commercial business driveway would create on a busy narrow road into and out of Medina.

Medina City Council
September 9, 2019

This council represents and is responsible for the interests of Medina and its 26,000 residents but most of all they appeal to your common sense based on the knowledge and experience gained as you have watched and participated in the development of this historic city.

Pat Ryan resides at 425 Sharon Copley Road.

Ms. Ryan spoke of the variance not being approved, and how C-3 is the most intrusive of commercial zoning. Using Mr. Mendel's words in the C-3 districts full range of permitted and conditionally permitted uses have a greater potential for negative impacts on the surrounding residential uses.

The east side of South Court has absolutely no commercial zoning at all from the south city limit north to the corner parcel on Lafayette Rd.

Ms. Ryan stated she feels the issue before council is the C-3 request. To their knowledge, there has been no review, staff report, planning commission recommendation or even public comment on the C-1. The entire process has been complicated by midstream changes and strategies, requests and applications. They are even unsure of how to address this, do they address C-3, C-1, another zoning district, or all of the above. Council has the authority to modify Planning Commission's recommendations, but should something this consequential as a rezoning from residential to commercial district that very likely could permanently adversely affect adjacent residential property owners be decided based on a letter of consent and support from the applicant's attorney without the Planning Director staff support, Planning Commission's recommendation or public input. The C-1 still allows many of the uses such as restaurants and bars and gas stations that the Pinewood residents found too intrusive in the C-3.

Why not apply for the CS which allows for the kiosk if that is actually their intent. Or is it?

Why did they not finish the appeal process, which would give them the kiosk and just the kiosk? Why is the city not following the procedure of what the Planning Director suggested? Would Council have considered a modification tonight if it had not been for a letter from the applicant giving "consent and support" for the C-1 district or would you all have voted on the C-3 rezoning and application as presented based on the Planning department staff report, the applicant statement and the public comments. The applicant has the right to develop but the adjacent property and the owners also have rights too. Zoning is to guide for urban growth and development used in accordance with a comprehensive plan. The 2007 Comprehensive Plan Update for Medina states the area should be residential. The plan was created and supported by the Planning Department, the residents, and Council.

Julie Larabee resides at 36 Pinewood Dr. stated as a trustee representing the owners of Pinewood Condominium Association, she urges Council to deny the request to rezone the 1088 lot on South Court St. from R-3 to any commercial zoning. She spoke of increased traffic congestion, limited site distance and dangerous conditions along with negative impact on residential property.

Ms. Larabee stated they have provided Council with signatures from 72 residents who oppose the rezoning. As elected members of Medina City Council you must represent those Medina residents

Medina City Council
September 9, 2019

who are voters and tax payers and decide each case fairly on its own merits not to just avoid litigation or limit the city liabilities. She requested that Council protect their residential property and their quality of life by rejecting the rezoning requests.

Atty. Justin Eddy, from Tucker Ellis, LLP – Attorney for Property Owner

Mr. Ellis stated it is clear there is a traffic issue in that area, but in terms of their requests those considerations are not properly before Council in terms of whether to approve or deny the rezoning of this property. Zoning regulations are designed to ensure the greatest enjoyment and maximum use of one's land. Mr. Eddy stated they are not going to be a traffic generator, this use is going to be designed to capture existing traffic. There has not been a traffic study performed, nothing has been requested in that respect. Regarding the appeal, that is not litigation. This property is essentially an island in the midst of multiple commercial uses. The city has previously approved similarity situated property for commercial development in connection with the PUD. This area is a commercial area, the Planning Commission recognized that when they recommended that it be rezoned. Justin stated the Comprehensive Plan needs to be looked at to determine what if what was determined in 2007 or earlier is appropriate for this period of time and the type of development that has occurred in the area. This lower zoning classification in his opinion is an ideal transitional use between a C-3 commercial designation and a residential use.

President Coyne stated that prior to letting Council give their comments regarding the rezoning, he asked Mr. Huber a follow up question, a clarification, so everyone knows what they would be voting on and how they would be voting. If there is an amendment proposed to the existing ordinance to change it from a C-3 to a C-1, his understanding is in order for the amendment to be effective as Mr. Huber indicated, it would take 6 of 7 to vote yes. Mr. Huber stated that is correct. Frankly, to some extent the Council has been boxed in by what the Planning Commission did here, they approved the most extreme commercial zoning C-3 and so in order to modify that, it will require a super majority or 6 votes in order to deny what the Planning Commission did.

Mr. Huber stated his other recommendation, if this ends up in litigation it will be closely examined in terms of anything you say at this hearing, so vote and don't offer a whole lot of additional information.

Mr. Rose asked Mr. Huber to clarify a comment on litigation that he has an agreement with that was an appeal to the BZA's decision back in the spring? Mr. Huber stated that is correct. Paul stated for conversation, if neither zoning is approved this evening then that lawsuit goes through and the court would decide whether the BZA was correct or not. Greg stated on the BZA yes, depending on what happens here, there may be another lawsuit.

Mr. Lamb asked if there was a current lawsuit and Mr. Huber stated it is an appeal of the BZA decision. Mr. Lamb asked Jonathon Mendel regarding the C-1 is there a staff report on the C-1 zoning? Mr. Mendel stated there is not. Mr. Lamb stated that procedurally there was a question raised that there was a staff report on C-3. Mr. Mendel stated yes. Bill stated the typical procedure to do this regardless of what zoning you were trying to get, you would review it and you would submit a report. Mr. Mendel stated yes, that is the standard operating procedure. Mr. Lamb asked if it makes sense that there is no staff report for C-1 and there is a lesser zoning that could be

considered that would allow the kiosk but it would not allow the future development that could occur regardless of C-1 or C-3, would it make sense then if Council were to table this until the next council meeting so that they could take a better look at other options they may have regarding zoning, as well as having a staff report done on a C-1 and lesser zoning?

Mr. Simpson stated that if they both fail, it will open up the city to litigation either way. If the C-S is an option that Mr. Mendel, the Planning Commission, but mainly the residents could live with.

Mr. Coyne stated it is also the owner of the property has to be able to agree to the C-S.

Mr. Huber stated that the property owner and their attorney would have to agree on tabling this until the next council meeting.

Mr. Coyne asked if they wanted council to vote tonight on this or are they ok with tabling it for the next council meeting. Attorney Justin Eddy stated they would prefer a vote this evening.

The roll was called and Ordinance/Resolution No. 120-19 failed by the nay votes of J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields and D. Simpson.

Ord. 120-19

An Ordinance rezoning the property at 1088 S. Court Street from R-3, High Density Residential to C-3, General Commercial. Mr. Coyne asked if there was a motion to amend Ordinance 120-19 from an R-3 High Density to a C-1 Local Commercial. Mr. Simpson moved and Mr. Rose seconded. The roll was called on the amendment and FAILED by the yea votes of J. Coyne, E. Heffinger, P. Rose, D. Simpson, and B. Starcher. B. Lamb and J. Shields cast a nay vote. Mr. Simpson moved for the adoption of Ordinance No. 120-19 (R-3) to (C-3), seconded by Mr. Rose. The roll was called and the ordinance failed by the yea votes of B. Starcher. J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields and D. Simpson all cast nay votes.

Introduction of Visitors:

There were none.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 126-19:

An Ordinance amending Sections 31.05 and 31.07 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Chief and Deputy Chief Probation Officer Positions and accepting the Chief Probation Officer and Building Custodian Job Descriptions for the Municipal Court. Mr. Shields moved for the adoption of Ordinance/Resolution No. 126-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 126-19, seconded by Mr. Simpson. Mr. Coyne stated that the municipal court is creating a new position called the Deputy Chief Probation Officer. Currently there are two probation officers in the Salaries and Benefits Code. This will modify one of the positions making it 9 A through 9 F. There is also a modification to the Chief Probation Officer's pay code going from a 20 A-F to a 16 A-F which lowers that position's pay based upon those different steps. The

Medina City Council
September 9, 2019

roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne, E. Heffinger and B. Lamb. The roll was called and Ordinance/Resolution No. 126-19 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne and E. Heffinger.

Ord. 127-19:

An Ordinance approving the three year Capital Improvement Plan for the Medina Community Recreation Center and authorizing the expenditure of the current cash balance of the fund to the Medina City Schools, in accordance with the Joint Operating Agreement.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 127-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 127-19, seconded by Mr. Simpson. Mr. Shields will be abstaining from voting due to his employment. Mike stated that this is per their Joint Operating Agreement with the Medina Community Recreation Center and the Medina City Schools. In this agreement, the schools pay all capital expenditures first and then bill the rec half. They are requesting to have all of our cash balance in the 575 Capital account placed in a PO for the schools for this purpose. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, B. Starcher, J. Coyne, E. Heffinger, B. Lamb, and P. Rose. J. Shields abstained. The roll was called and Ordinance/Resolution No. 127-19 passed by the yea votes of D. Simpson, B. Starcher J. Coyne, E. Heffinger, B. Lamb and P. Rose. J. Shields abstained.

Ord. 128-19:

An Ordinance authorizing the increase of the expenditure to Signal Service Company to \$60,000 for the Street Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 128-19, seconded by Mr. Simpson. Mr. Piccoli stated they are asking for this increase from \$15,000 to \$60,000 so they can have testing on their traffic control cabinets performed as well as numerous repairs and maintenance items. The roll was called and Ordinance/Resolution No. 128-19 passed by the yea votes of B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields and D. Simpson.

Ord. 129-19:

An Ordinance authorizing the purchase of one (1) 2020 Chevrolet Malibu from Ganley Chevrolet of Aurora for the Police Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 129-19, seconded by Mr. Simpson. Chief Kinney stated this will replace one of their older detective bureau vehicles. The roll was called and Ordinance/Resolution No. 129-19 passed by the yea votes of J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson and B. Starcher.

Res. 130-19:

A Resolution accepting and approving the Resolution passed by the Historic Preservation Board approving the application and recommendation for the designation of Historical Landmark for 205 S. Prospect Street (Phillips-McDowell House). Mr. Shields moved for the adoption of Ordinance/Resolution No. 130-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 130-19, seconded by Mr. Simpson. Mr. Mendel stated the Historic Preservation Board reviewed and made a recommendation under

section 145.08 A, C, D & F to approve this as a Historic Landmark within the City of Medina. Emergency is needed due to application process. The roll was called on adding the emergency clause and was approved by the yeas of B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne and E. Heffinger. The roll was called and Ordinance/Resolution No. 130-19 passed by the yeas of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher and J. Coyne.

Ord. 131-19:

An Ordinance amending Ordinance No. 100-19, passed July 8th, 2019 authorizing a payment to Jenmet Construction LLC for the Private Rehabilitation at 3877 Miller Dr., Brunswick as part of the PY18 CHIP Grant Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 131-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 131-19, seconded by Mr. Simpson. The roll was called on adding the emergency clause and was approved by the yeas of J. Shields, D. Simpson, B. Starcher, J. Coyne, E. Heffinger, B. Lamb and P. Rose. The roll was called and Ordinance/Resolution No. 131-19 passed by the yeas of P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne, E. Heffinger and B. Lamb.

Res. 132-19:

A Resolution authorizing an application for grant assistance from the State of Ohio, Ohio Public Works Commission, relative to Issue 1 and LTIP Program funding for the Gates Mills Boulevard Bridge Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 132-19, seconded by Mr. Simpson. Mr. Patton stated this is their annual application to OPWC. The roll was called on adding the emergency clause and was approved by the yeas of D. Simpson, B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose and J. Shields. The roll was called and Ordinance/Resolution No. 132-19 passed by the yeas of D. Simpson, B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose and J. Shields.

Ord. 133-19:

An Ordinance authorizing the Mayor to execute Preliminary Legislation with the Ohio Department of Transportation (ODOT) to perform bridge inspection services for the municipal owned bridges. Mr. Shields moved for the adoption of Ordinance/Resolution No. 133-19, seconded by Mr. Simpson. Mr. Patton stated every year they are required to inspect our bridges and report them to the state but several years ago ODOT received a federal grant that provided funds for them to do the bridge inspections and they've renewed twice. The roll was called and Ordinance/Resolution No. 133-19 passed by the yeas of B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields and D. Simpson.

Ord. 134-19:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the South Court Water Tank Improvements Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 134-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 134-19, seconded by Mr. Simpson. Mr. Piccoli stated the city entered into a contract with Dixon Engineering to provide the city with technical specifications as well as contract bidding documents to replace the steel fill pipe at the South Court water tower as well as the recoating of the interior.

Medina City Council
September 9, 2019

Emergency is needed due to significant corrosion on the fill pipe. The roll was called on adding the emergency clause and was approved by the yea votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher and J. Coyne. The roll was called and Ordinance/Resolution No. 134-19 passed by the yea votes of J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson and B. Starcher.

Ord. 135-19:

An Ordinance authorizing the payment to GB Hawk Construction Co. for the Private Home Rehabilitation at 33 Circle Drive, Medina as part of the PY18 CHIP Grant Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 135-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 135-19, seconded by Mr. Simpson. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne, E. Heffinger and B. Lamb. Emergency clause is needed to pay contractor in a timely manner. The roll was called and Ordinance/Resolution No. 135-19 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne and E. Heffinger.

Ord. 136-19:

An Ordinance authorizing the Mayor to enter into Task Order #1 to the Agreement with Delta Airport Consultants, Inc. for professional services at the Medina Municipal Airport relative to the extension of the North-South Runway. Mr. Shields moved for the adoption of Ordinance/Resolution No. 136-19, seconded by Mr. Simpson. Mr. Patton stated this allows them to engage Delta Airport Consultants to complete the plans for the extension of the N-S taxiway at the Airport. There are three different funding areas this \$40,000 is for the design and will be the city's responsibility to pay for. The next two \$300,000 for construction and \$160,000 for construction, administration and ALP plan update are covered by either the FAA or ODOT with the city only responsible for 5% of those costs. The roll was called and Ordinance/Resolution No. 136-19 passed by the yea votes of J. Shields, D. Simpson, B. Starcher J. Coyne, E. Heffinger, B. Lamb and P. Rose.

Res. 137-19:

A Resolution supporting Mayor Hanwell to join the "Mayor's Pledge" with the National Recreation and Parks Association's 10-Minute Walk Campaign. Mr. Shields moved for the adoption of Ordinance/Resolution No. 137-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 137-19, seconded by Mr. Simpson. Mr. Wehrley stated this campaign is a commitment to make sure everyone in our city has a safe and easy access to a quality park within a 10-minute walk of their home by 2050. MainStreet Medina has applied for a planning grant for an expansion of walking loop in the south town district and the emergency clause is requested due to time restraints on grant. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson and B. Starcher. The roll was called and Ordinance/Resolution No. 137-19 passed by the yea votes of B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields and D. Simpson.

Res. 138-19:

A Resolution authorizing an application for grant assistance from the Federal Aviation Administration (FAA) for the Extension of the North-South Taxiway at Medina Municipal Airport. Mr. Shields moved for the adoption of Ordinance/Resolution No. 138-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 138-19, seconded by Mr. Simpson. Mr. Patton stated they initially were planning on requesting the FAA carry over their funds until next year because we could not meet their July deadline, they in turn came back to us late in the summer and asked us to move forward with it and they would extend that deadline. The emergency is requested due to time restraints. 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, B. Starcher, J. Coyne and E. Heffinger. The roll was called and Ordinance/Resolution No. 138-19 passed by the yea votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher and J. Coyne.

Ord. 139-19:

An Ordinance authorizing an expenditure not to exceed \$30,000 to Wertz Geotechnical Engineering for material testing and inspection for the City Hall Parking Structure. Mr. Shields moved for the adoption of Ordinance/Resolution No. 139-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 139-19, seconded by Mr. Simpson. Patrick stated the parking deck project will be starting shortly and required on our part is to provide materials testing as well as special inspection services and they are recommending Wertz Geotechnical Engineering to do the concrete and steel and post tensioning inspection. Emergency is requested due to the contractor is starting. The roll was called on adding the emergency clause and was approved by the yea votes of J. Shields, D. Simpson, B. Starcher J. Coyne, E. Heffinger, B. Lamb and P. Rose. The roll was called and Ordinance/Resolution No. 139-19 passed by the yea votes of P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne, E. Heffinger and B. Lamb.

Res. 140-19:

A Resolution approving by legislative Resolution the Petition and Articles of Incorporation for the creation and governance of an Energy Special Improvement District under Ohio Revised Code Chapter 1710, and approving the necessity of acquiring, constructing, and improving certain public improvements in the City of Medina, Ohio in cooperation with the City of Medina Energy Special Improvement District. Mr. Shields moved for the adoption of Ordinance/Resolution No. 140-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 140-19, seconded by Mr. Simpson. Mrs. Marshall stated this would form an Energy Special Improvement District which will allow commercial property owners, companies, businesses and non-profits and government entities to utilize an economic development tool called PACE financing which is Property Access Clean Energy which allows them to make energy efficiency upgrades to their facility. In order for them to use the program we have to have the ESID done by the city. Our Economic Development Committee met to recommend Council to move forward with establishing the district, however, we can't form the district without having a project. The county decided to be our first entity to take advantage of it with an energy LED lighting upgrade for the Job and Family Services building on Northland Drive. Kimberly stated she is asking Council to pass a resolution as well as two

Medina City Council
September 9, 2019

ordinances. One is to establish the ESID which she will be chairperson of, and the other two are ordinances to approve the energy project and then move forward with the special assessments. Information is needed this week to the County Auditor and that is why the emergency is needed. The roll was called on adding the emergency clause and was approved by the yea votes of B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields and D. Simpson. The roll was called and Ordinance/Resolution No. 140-19 passed by the yea votes of D. Simpson, B. Starcher, J. Coyne, E. Heffinger, B. Lamb, P. Rose and J. Shields.

Ord. 141-19:

An Ordinance determining to proceed with certain City of Medina Special Energy Improvement projects by way of special assessments in accordance with Chapters 1710 and 727 of the Ohio Revised Code. Mr. Shields moved for the adoption of Ordinance/Resolution No. 141-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 141-19, seconded by Mr. Simpson. The roll was called on adding the emergency clause and was approved by the yea votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher and J. Coyne. The roll was called and Ordinance/Resolution No. 141-19 passed by the yea votes of J. Coyne, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson and B. Starcher.

Ord. 142-19:

An Ordinance levying special assessments for the Medina County Project (ESID). Mr. Shields moved for the adoption of Ordinance/Resolution No. 142-19, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 142-19, seconded by Mr. Simpson. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne, E. Heffinger and B. Lamb. The roll was called and Ordinance/Resolution No. 142-19 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, B. Starcher, J. Coyne and E. Heffinger.

Council Comments:

Mr. Simpson spoke of the Mayor's State of the City Address and what he got out of it was #1 the Leadership of the Mayor, #2 each and every one of the department heads including Mr. Huber and thanked them all for their service.

Dennie thanked the people that attended the Tunnels to Tower run to raise money for wounded warriors and first responders.

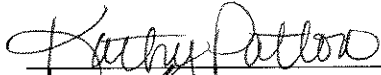
Please register to vote and remember to be kind to one another and not listen to negative comments.

Mr. Coyne stated there is not only a budget hearing this Wednesday but next Tuesday as well and both start at 5:30 p.m.

Adjournment:

There being no further business before Council, the meeting adjourned at 8:47 p.m.

Medina City Council
September 9, 2019



Kathy Patton CMC - Clerk of Council



John M. Coyne, President of Council

