

MEDINA CITY COUNCIL
Monday, June 8, 2020

****REMOTE TELECONFERENCE MEETING****

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**\*\*NOTE:** The June 8th, 2020 meeting of the Medina City Council was conducted as a remote meeting, pursuant to H.B. #197.

**Call to Order:**

Medina City Council met in remote session on Monday June 8, 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 B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, and E. Heffinger.

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

**Minutes:**

Mr. Shields moved that the minutes from the regular meeting on May 26, 2020 as prepared and submitted by the Clerk be approved. The roll was called and the motion passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, and B. Lamb.

**Reports of Standing Committees:**

Finance Committee: Mr. Coyne stated they met prior to this evenings Council Meeting 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 had no report, trying to schedule a meeting prior to Council summer break.

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

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

Emerging Technologies Committee: Mr. Rose had no report.

**Requests for Council Action:**

**Finance Committee**

20-123-6/8 – Budget Amendments

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20-124-6/8 – Technology Grant Award – Municipal Court  
20-125-6/8 – Section 125 Plan Changes  
20-126-6/8 – 2021 Tax Budget  
20-127-6/8 – Agreement w/ GIS Group, LLC – Software/Services for Water Dept.  
20-128-6/8 – Transfer Request – Fund #168 to Fund #169 – Municipal Court  
20-129-6/8 – Amend S&B Code, Street Dept. Part-Time Laborers  
20-130-6/8 – Amend S&B Code, Water Dept. Abolish System Testing Tech / Add F/T Laborer

**Reports of Municipal Officers:**

**Dennis Hanwell, Mayor,**

A. Covid-19- Thank you to public for helping reduce the spread by following guidelines of social distancing, wearing masks in public, and avoiding large gatherings. Updated information on business openings, safety protocols, etc. are on the City and Medina Co. Health Dept. Website. Please support local businesses.

B. New Parking Deck/TIF- The new parking deck being erected was supplemented by a \$1m capital grant from the State of Ohio. The deck is progressing well and expected to be completed near the end of June, weather dependent.

C. Please complete the U.S. Census. Important that all residents are counted. We qualify for state and federal grants based on the reporting.

D. The original Medina Square Farmers Market opened its 15th season on the Medina Square on June 6th, and will run through October 17th. The market will be open from 8-9 a.m. for guests over 59, and immune compromised shoppers, and from 9 a.m. to 1 p.m. for regular shoppers. (optional: The market is presented in partnership with the City of Medina, and sponsored by Cleveland Clinic Medina Hospital) Due to social distancing requirements and concerns for the safety of guests and vendors, the market has been reduced to roughly 20 full time vendors, and another 6-8 part time vendors. A full selection of products will be offered. For more information, and to see customer shopping guidelines, please visit [medinafarmersmarket.com](http://medinafarmersmarket.com), or Medina Farmers Market on Facebook.

E. July 4 parade and fireworks are cancelled due to restrictions by OH State Health Director on large gatherings. Asked local Health Director if we blocked access to parking around High School if we may still have them, but was concern with people walking in from neighborhood and gatherings. I on behalf of the City may not sign permit without being in violation of law.

F. Chief Kinney- outstanding job with planning, organization and coordination of five rallies over weekend. Great support from Medina County Law Enforcement. All went well for City and participants. Thank you Medina!

**Keith Dirham, Finance Director,** stated there are a couple of things that originated with the Finance Meeting and he will address them.

**Greg Huber, Law Director,** had no report.

**Chief Kinney, Police Department,** reported they had 5 protests over 3 days here in the Medina City Square. Started Friday night and ended Sunday. All were very peaceful, demonstrations were to honor George Floyd on the incident that happened in Minneapolis. We had Police Chiefs from

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throughout the county that were mingled throughout the square and talking to the citizens. We got a lot of good feedback and Chief Kinney is really proud of how the officers handled themselves and how they protected the demonstrators. Two of the rallies included marches where our officers assisted in escorting folks across the streets and intersections. Chief Kinney thanked some individuals that were involved in assisting us in this team effort.

**Kimberly Marshall, Economic Development Director**, had no report.

**Jonathan Mendel, Planning Community Director**, was absent.

**Chief Painter, Fire Department**, was absent.

**Mike Wright, Rec. Center Director**, was absent.

**Jansen Wehrley, Parks and Recreation Director**, was absent.

**Dan Gladish, Building Official**, was absent.

**Patrick Patton, City Engineer**, stated ODOT will be replacing a culvert on Route 3, this is Weymouth Road between East Friendship and East Union and beginning on Monday, June 22<sup>nd</sup> they will be closing Route 3 at that location for 60 days. Detours will be posted both locally and on I-71.

**Nino Piccoli, Service Director**, had no report.

**Notices and petitions:**

There were none.

**Unfinished Business:**

There was none.

**Introduction of Visitors:**

**Amy Hopkins**, is with First Energy and wanted to introduce herself and is very eager to serve this community.

**Pat Walker**, 523 E. Friendship, Medina OH 44256 (Comments read by President of Council)  
On June 2nd there was a Steering Committee meeting of the Joint Courthouse Project. Unfortunately, we did not learn much other than the current plans are more than the City and County want to spend. However, no specific numbers were available. This uncertain financial time is not the time for a massive building project.

Before the City and the County spend millions of taxpayer dollars and demolish the iconic white-columned 1969 Courthouse, the voters of the City of Medina have the opportunity to put the Courthouse issue on the November ballot for a vote by the people.

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All of June from 1 to 4 p.m. on Saturdays and Sundays and from 5-7 p.m. on Thursday evenings there will be a social distance drive-thru for City of Medina voters to sign the petition to put the Courthouse issue on the ballot. This initiative will give citizens of Medina a say before many millions of dollars are spent and the iconic 1969 Courthouse is demolished. The drive-thru is at 231 South Broadway across from Garfield Elementary. Look for the "Sign Courthouse Petition Here" signs. Any citizens who have questions or who want to help gather signatures, please call 330-722-5567. Thank you for reading my public comment.

**Ralph Jocke**, 523 E. Friendship, Medina (Comments read by President of Council)

The current Medina County Courthouse has asbestos insulation and fireproofing. Asbestos fibers are a deadly carcinogen. Any level of asbestos fibers in the air makes the air unsafe to breathe.

The Agreement that has been entered into with the Construction Manager, Gilbane Construction, for demolition of the County Courthouse explicitly relieves Gilbane of all responsibility for asbestos removal and disposal. The Agreement also relieves Gilbane of responsibility for protecting the public from exposure to asbestos as a result of Gilbane's construction and demolition activities.

Given the serious risk to public health presented by exposure to asbestos fibers in connection with the proposed Courthouse Project, I respectfully request that:

- 1) the additional costs that will be incurred to safely remove and dispose of the asbestos in the County Courthouse be accurately determined and promptly publicly disclosed as part of the cost of the proposed Courthouse Project, and
- 2) that the Agreement with Gilbane Construction be amended so that Gilbane bears responsibility for protecting the public from exposure to carcinogenic asbestos fibers that may result from the demolition of the County Courthouse, as well as all costs of asbestos removal and disposal.

I expected that this issue would be addressed at the public meeting with the architects, Brandstetter Carroll, on June 2. However, nothing at that meeting provided assurance that the public health is being protected or that the cost of proper asbestos removal and disposal is being considered in the projected costs of the Courthouse Project.

I ask the Medina City Council members to promptly take the requested actions to protect the health of Medina's citizens, and so that this Council and the citizens understand the costs that will be incurred to carry out the proposed Courthouse Project. Thank you.

**Nathan Case**, 513 East Washington Street, Medina (Comments read by Council-At-Large Paul Rose)

Two hundred and forty-four years ago the continental congress declared that this great nation of states be declared independent from the British Monarch of King George III. From the hands of Thomas Jefferson, we as a nation, united under the Declaration of Independence, kindled a fire of freedom and revolt against tyranny. This nation was born by the greatest Americans of the time; George Washington, Thomas Jefferson, Samuel Adams, Patrick Henry, John Adams and James Monroe. Thomas Paine said "This new world hath been the asylum for the persecuted

lovers of civil and religious liberty from every part of Europe. Hither they have fled, not from the tender embraces of the mother, but from the cruelty of the monster; and it is so far true of England, that the same tyranny which drove the first emigrants from home, pursues their descendants still." Paine stated this in the infancy of our nation. Since then this nation has become the home of the world. We painstakingly declared our freedom from the British and aided other great nations to battle their oppressors. This nation, built on the blood of its patriots, survived a multitude of battles and wars both in our pursuits and in the interests of our moral fortitude. We stand here today a divided country. A country devoid of camaraderie. We as a nation have forgotten what we have fought and died for. Amidst the social distancing of COVID-19, the mortal fear of the virus, the racial unrest, the political deadlocks, the economic turmoil, and the extreme weather we need to concentrate on the foundation of what makes this country the envy of the rest of this world. We as a nation possess the liberties and freedoms that are taken for granted on a daily basis. We need to celebrate this country. We need to celebrate together, as a community and a nation. We must not turn our backs on the country that sacrificed so much before us. This year our country deserves a celebration grander than ever. We should do our part, as members of this nation, and march down the streets of our community and declare our national pride. If we have the right to peacefully protest, we too should have the right to declare our gratitude to this country. This Independence Day should mark the day we declare that "we are all in this together". Our actions should dictate a love for this country. We should want everyone, with all our similarities and differences, to make an effort to walk together shrouded in unity for the United States of America. This year, of all years, the Medina City Independence Day Parade should continue the traditions of our past. After all, traditions unite a community and define a nation. With the help of Medina City Council, I implore you to unite for this cause and overturn the decision to cancel this year's Independence Day celebration. I will personally work with you to organize a petition or follow the proper procedure to remedy this injustice. Thank you for your time. God bless America. Sincerely your patriot.

**Introduction and Consideration of Ordinances and Resolutions:**

Motion to suspend the Rules requiring three readings on the following ordinances and resolutions Ord. 106-20, Res. 107-20, Res. 108-20, Res. 109-20, Ord. 110-20, Res.111-20, Res. 112-20 & Ord. 113-20. The roll was called and the motion to suspend passed by the yea votes of J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

**Ord. 106-20:**

**An Ordinance of the Council of the City of Medina, Ohio certifying that when a municipal obligation was incurred sums were lawfully appropriated in the funds to satisfy the obligation and sufficient sums currently exist to satisfy this obligation.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 106-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 106-20, seconded by Mr. Simpson. We are going to be paying part of this and we are asking for the emergency clause because the work has already been done. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson. The roll was called and Ordinance/Resolution No. 106-20 passed by the yea votes of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

**Res. 107-20:**

**A Resolution accepting the grant award from the Ohio Law Enforcement Body Armor Program to purchase body armor vests for the Medina Municipal Court.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 107-20, seconded by Mr. Simpson. Mayor Hanwell stated on behalf of the court the Ohio Attorney General's Office and Ohio Bureau Workers Comp. created the new Ohio Law Enforcement Body Armor Program. The Municipal Court has applied and awarded \$4,272.75 for the vests and is asking City Council to permit them to accept the grant. The roll was called and Ordinance/Resolution No. 107-20 passed by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

**Res. 108-20:**

**A Resolution authorizing the Mayor to file an application for grant assistance with the Ohio Criminal Justice Service for reimbursement for COVID-19 associated expenses for the Medina Police Department.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 108-20, seconded by Mr. Simpson. Chief Kinney stated this is permission to file for grant acceptance for the Ohio Criminal Justice Services. They are offering reimbursement for COVID-19 related expenses for the Police Department. The amount requested is \$50,725.43. The roll was called and Ordinance/Resolution No. 108-20 passed by the yea votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and J. Hazeltine.

**Res. 109-20:**

**A Resolution accepting the donation from Spray Products of hand sanitizer to the City of Medina.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 109-20, seconded by Mr. Simpson. Kimberly stated the donation from Spray Products of Hand Sanitizer donation is valued at \$1,560.00. The company converted a portion of their operation to make this hand sanitizer and they wanted to help the city during this pandemic. The donation consisted of 13 cases of spray cans and 2 cases of pour bottle cans and each can is 8.5 ounces. The company also donated 2 cases to Main Street Medina for our Farmer's Market season. The roll was called and Ordinance/Resolution No. 109-20 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, and E. Heffinger.

**Ord. 110-20:**

**An Ordinance authorizing the Job Creation Grant Agreement for Miller Plating, LLC.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 110-20, seconded by Mr. Simpson. This is for the purpose of establishing a new business located at 940 Lafayette Rd. creating 35 new full time positions by 2023. The Law Director has reviewed, also the Business Development Community. The Job Creation Grants are paid from non-income tax generated revenue. The roll was called and Ordinance/Resolution No. 110-20 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, and B. Lamb.

**Res. 111-20:**

**A Resolution donating a 2013 Ford Explorer to the Medina County Career Center Criminal Justice Program.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 111-20, seconded by Mr. Simpson. Chief Kinney stated this donation is for the Medina County Career Center Criminal Justice Program. The roll was called and Ordinance/Resolution No. 111-20 passed

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

**Res. 112-20:**

**A Resolution directing owners to drain Lindenwood Lake, repair the Lindenwood Dam and remove obstructions, silt and substances as would create a nuisance.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 112-20, seconded by Mr. Simpson. Mr. Shields moved for the adoption of Ordinance/Resolution No. 112-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 112-20, seconded by Mr. Simpson. Mr. Huber stated the dam at Lindenwood Lake has been compromised and the Department of Natural Resources advises that the dam is in dire need of repair and currently constitutes a nuisance. This ordinance, pursuant to state statute, allows the City to direct the owners of the lake to make repairs and within 30 days after receipt of the resolution. If the owners are unable to do that the City will make the repairs and collect the cost of repair through either tax assessment or leans against the property so as to replace the monies used for the repair. The lake at this point does constitute a nuisance and this is a mechanism to try and repair the situation. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson. The roll was called and Ordinance/Resolution No. 112-20 passed by the yea votes of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

**Ord. 113-20:**

**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. 113-20, seconded by Mr. Simpson. Mr. Dirham stated there is one increase, this is a passthrough where we received funds and we need to appropriate them in order to be able to spend them. There are 3 reductions that came from the budget hearings. The roll was called and Ordinance/Resolution No. 113-20 passed by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

**Council Comments:**

Mr. Simpson stated he had the opportunity to attend a few of the protests held in the square and has a better understanding. Denny thanked Mayor Hanwell when he spoke at the Saturday protest. Recommends reading the three books he posted on social media. Denny also thanked Chief Kinney for the organization of this weekend events and all the officers. Denny expressed that the Medina is very fortunate that when we hire a Police Officer in Medina there is a full background check they go through and extensive psychological testing.

As a nation we have to do better, more now than in the past with some of the situations going on in our country. Be kind of one another and respect one another.

Mr. Heffinger echoed what Mr. Simpson had to say and stated we have to listen to each other and this weekend is a great example of what we had to do. It was a very powerful weekend. Black Lives Matter. We need to make sure that the problems that they are describing to us are fixed. Laws need to be put in place. Let's continue to have these tough conversations.

Please remember that we are still having a pandemic and while choosing to go to these things, yes

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it was our choice but we may have exposed ourselves to the virus, it is our responsibility to wear a mask because you could be at risk for the next two weeks or so, so just consider that when interacting with people.

Our local businesses need our support so please come out, wear your masks, practice social distancing and support.

Eric spoke of this being PRIDE month.

Mrs. Hazeltine also echoed what previous councilmen had stated and mentioned that she attended four of the demonstrations over the weekend. Every moment you have a chance to see something and say something. Jess made a promise to her ward 1 as is it the most diverse ward in Medina city that this will not just be a black screen on Facebook, this will be more than just a hashtag. This is a movement and we are going to make progress on this as a city. She has spoken with Chief Kinney to do an evaluation of all our policies and procedures.

She reminded the public of Coffee with Bill and Jess now on Medina TV.

Jess encouraged all to celebrate PRIDE with the LGBTQ community throughout the month of June.

Mr. Rose attended the demonstration on Saturday afternoon on the square, Pastor Ruffin did an excellent job of conveying true words/feeling that we all need to contemplate and listen on. Thankful for all that were respectful and the professionalism of the police departments. Support your local businesses.

Mr. Lamb stated this weekend and the events of the last week maybe remind us that protesting is fundamental to this country and one of the highest forms of patriotism.

He was moved by the crowd that was there, because they were also moved.

Bill feels we still have a long way to go and hopefully we were reminded of what really is fundamental to making this country a better place to live and that is to continue to do whatever you need to do to protect the life and safety of everybody that lives here in an absolutely equal way.

Mr. Shields thanked everybody that participated in the weekend events, it was a great weekend and he is proud of Medina. Jim thanked Dennie for always saying be kind to everyone, because that is the start of everything.


Mr. Coyne stated to follow up on what everyone else said is that it is important that we come together as a community and Medina is a great community that shows our diversity and shows how we treat people. He feels that is why people like to live in Medina, because of the way we treat people and how we handle ourselves and how the city conducts itself.

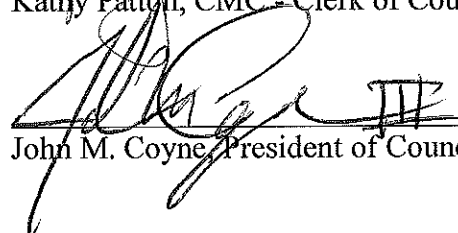
We do have a budget hearing on Wednesday, June 17<sup>th</sup> at 5:30pm talking about Parks and the Fire Department. Have a good week.

There being no further business before Council, the meeting adjourned at 8:15 p.m.



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Kathy Patton, CMC - Clerk of Council

  
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John M. Coyne, President of Council

