

MEDINA CITY COUNCIL
Monday, July 13th, 2020

Call to Order:

Medina City Council met in regular session on Monday, July 13, 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: J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

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 June 22, 2020 as prepared and submitted by the Clerk be approved. The roll was called and the motion passed by the yea votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and J. Hazeltine.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated they met prior to this evenings Council Meeting and will meet again in 6 weeks unless there is something that needs immediate attention.

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

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb had no report.

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

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

Emerging Technologies Committee: Mr. Rose had no report.

Requests for Council Action:

Finance Committee

20-145-7/13 – Budget Amendments

20-146-7/13 – CIT Support & Expansion Project – One Time Stipend – Police

20-147-7/13 – Increase Exp. – CHIP Grant P.O. #20-1395 - Absolute Construction

20-148-7/13 – Expenditure Over \$15,000 – Sandridge JCG Payment

20-149-7/13 – Purchase 2021 Mack Front Loader – Sanitation Dept.

20-150-7/13 – CARES Act Funding

20-151-7/13 – Accept Donation of Face Masks from Tempur Sealy International

20-152-7/13 – Accept Donation of Hand Sanitizer from Alchem Inc.

Addendum to 20-038-5/26 – City Hall Parking Deck Contract Adjustment

20-153-7/13 – Security Cameras – City Hall Parking Deck

20-154-7/13 – Bids, 2020 Concrete Pavement Joint Sealing – Job #1068

20-155-7/13 – Grant Application w/ Ohio Public Works Commission

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20-156-7/13 – Mask Mandate Ordinance
20-157-7/13 – Providing Disposable Face Coverings for Local Businesses

Reports of Municipal Officers:

Dennis Hanwell, Mayor, had the following prepared report:

- A. Covid-19 - Thank you to the 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. websites. Please continue to support our local businesses.
- B. New Parking Deck/TIF - The new parking deck being erected was supplemented by a \$1m capital grant from the State of Ohio. The deck is progressing well and expected to be completed near the end of July, 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. The market is presented in partnership with the City of Medina, and sponsored by Cleveland Clinic Medina Hospital. Due to social distancing requirements and concerns for the safety of guests and vendors, the market has been reduced to roughly 20 full time vendors, and another 6-8 part time vendors. A full selection of products will be offered. For more information, and to see customer shopping guidelines, please visit medinafarmersmarket.com, or Medina Farmers Market on Facebook.
- E. Fiber to the home - please take survey at this link- www.Medina.LitCommunities.net

Keith Dirham, Finance Director, reminded residents that Municipal tax returns are due on July 15th same as the Federal and State returns. There are a number of things that were talked about in the Finance meeting earlier that he will address as they get there.

Greg Huber, Law Director, had no report.

Chief Kinney, Police Department, had no report.

Kimberly Marshall, Economic Development Director, absent.

Jonathan Mendel, Planning Community Director, absent.

Chief Painter, Fire Department, absent.

Mike Wright, Rec. Center Director, absent.

Jansen Wehrley, Parks and Recreation Director, absent.

Dan Gladish, Building Official, absent.

Patrick Patton, City Engineer, reported the following: South Broadway project update – completed the soil stabilization, and next week will prepare for concrete pavement placement. They have notified residents by mail after concrete placement there will be a five day period where they will not be able to access their driveways.

Public Square mid-walk crossing project is expected to start this week and will require partial lane closures during the day and will fully be open by 4 p.m. each evening. This project should only take about 2 weeks once it starts.

Nino Piccoli, Service Director, had no report for Service Department but stated that Mike Wright the Rec Center Director was unable to attend this evening and asked him to let everyone know that with respect to the Memorial Pool they are averaging 90 patrons per day at \$5 per pass, totaling \$450 and \$45 per day in concessions. The expenses per day are \$983 leaving them down about \$488. This does not include donations for operating or \$500 donated for passes. Keith Dirham the Finance Director will have those updated reports available on the totals. Mike wanted to make sure all the donors are thanked for their generosity in contributing to help reduce the total funds needed out of the rec center for the season.

Notices and petitions:

There were none.

Unfinished Business:

There was none.

Introduction of Visitors:

Bruce Gold – Resident addressed the proposed Resolution on Racism. Stating that he feels racism is a health issue, a mental health issue. Not sure you can put it in the right context by calling it a health crisis.

We are bringing up symbolism over substance. More education needed. Bruce agrees with Mr. Rose who brought up the points about the language in the resolution and would like council to consider revamping the resolution and to really put some thought into more towards an objective in resolving an issue instead of just naming it something. An end to a means as opposed to just naming it a healthcare crisis without any resolution.

Introduction and Consideration of Ordinances and Resolutions:

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

Ord. 126-20, Res. 127-20, Ord. 128-20, Ord. 129-20, Ord. 130-20, Ord. 131-20, Ord. 132-20, Ord. 133-20, Ord. 134-20, Ord. 135-20, Ord. 136-20 and Ord. 137-20. The roll was called and the motion to suspend passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, and E. Heffinger.

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Ord. 126-20:

An Ordinance authorizing the increase of the expenditure to Goodyear Tire and Rubber Company for the Sanitation Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 126-20, seconded by Mr. Simpson. Mr. Piccoli stated they started the year in Sanitation with a \$15,000 P.O. and in order to get through the year we are asking to increase that by \$30,000 for a total of \$45,000. The roll was called and Ordinance/Resolution No. 126-20 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, and B. Lamb.

Res. 127-20:

A Resolution authorizing an application for grant assistance from the Federal Aviation Administration (FAA) for the Medina Municipal Airport Obstruction Removal Study. Mr. Shields moved for the adoption of Ordinance/Resolution No. 127-20, seconded by Mr. Simpson. Mr. Patton states the FAA has offered a grant to cover for the cost of this study and the grant amount is \$150,000. Mr. Huber stated in order to explain why this is happening the FAA has shut down the approach to the west end of the Medina Airport due to trees penetrating the glide path. A remedy that would probably be involved is readjusting the lights that guide an airplane in and some analysis is somewhat expensive and that is the reason for this grant. The roll was called and Ordinance/Resolution No. 127-20 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

Ord. 128-20:

An Ordinance authorizing the Mayor to enter into Task Order #5 to the Agreement with Delta Airport Consultants, Inc. for professional services at the Medina Municipal Airport relative to the FAA Obstruction Removal Study. Mr. Shields moved for the adoption of Ordinance/Resolution No. 128-20, seconded by Mr. Simpson. Mr. Patton stated referencing the last resolution regarding the grant this is to hire Delta Airport Consultants to complete this study for us. The roll was called and Ordinance/Resolution No. 128-20 passed by the yea votes of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

Ord. 129-20:

An Ordinance of the Council of the City of Medina, Ohio, certifying that when a municipal obligation was incurred sums were lawfully appropriated in the funds to satisfy the obligation and sufficient sums currently exist to satisfy this obligation. Mr. Shields moved for the adoption of Ordinance/Resolution No. 129-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 129-20, seconded by Mr. Simpson. Mr. Dirham stated this is in relation to an emergency repair of the rail line. Emergency clause is requested due to work being complete and payment is needed for vendor. The roll was called on adding the emergency clause and was approved by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 129-20 passed by the yea votes of J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 130-20:

An Ordinance extending the Agreement with Partner Marketing LLC relative to finding

sponsorships to place inside the Medina Community Recreation Center. Mr. Shields moved for the adoption of Ordinance/Resolution No. 130-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 130-20, seconded by Mr. Simpson. Mr. Piccoli stated the contract one year extension request due to Covid-19 the rec advisory meeting could not meet to approve the contract which is a 3 year term and it expired so the Rec Center Director is asking to extend the contract for one year while the program is reviewed by the Rec Advisory. The emergency clause is needed due to the contract expiring. Mr. Shields will be abstaining due to this benefitting his employer. The roll was called on adding the emergency clause and was approved by the yea votes of B. Lamb, P. Rose, D. Simpson, J. Coyne, J. Hazeltine, and E. Heffinger. J. Shields abstained. The roll was called and Ordinance/Resolution No. 130-20 passed by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, D. Simpson, and J. Coyne. J. Shields abstained.

Ord. 131-20:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for a Detention Basin – Project #947 at the Medina Municipal Airport. Mr. Shields moved for the adoption of Ordinance/Resolution No. 131-20, seconded by Mr. Simpson. Mr. Patton stated that for some time they have been under the burden of adding this detention basin. This is required for projects completed in the past and projects that will be done in the future to manage the storm water runoff that is generated from the airport. We did apply and were successful in getting a commitment for a grant from the Stephenson Foundation being 1/3 of the project. Mayor Hanwell thanked the Stephenson Foundation. He stated the fact is the last hangar that was built we made a commitment to do this because of the time there were FAA funds and now they will no longer let us use the FAA funds for this. In addition there is an interest in building more hangars which will help pay us back for the fuel system we put in. Until the detention basin is put in we are not permitted to do any of this. The roll was called and Ordinance/Resolution No. 131-20 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, and B. Lamb.

Ord. 132-20:

An Ordinance amending Ordinance No. 62-20, passed March 18, 2020, relative to Section 917.03(b)(2) of the codified ordinances of the City of Medina, Ohio extending the date of the suspension of water service disconnections resulting from the COVID-19 pandemic to July 31, 2020. Mr. Shields moved for the adoption of Ordinance/Resolution No. 132-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 132-20, seconded by Mr. Simpson. Mr. Dirham stated that the emergency clause is needed because it is retroactive to June 30th and needs to take effect immediately. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 132-20 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

Ord. 133-20:

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

Ordinance/Resolution No. 133-20, seconded by Mr. Simpson. Mr. Dirham stated this ordinance waves penalties for late payments in the months of March, April, May and June 2020 due to Covid-19 and the emergency is requested due to being retroactive to March and needs to be effective immediately. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 133-20, seconded by Mr. Simpson. The roll was called on adding the emergency clause and was approved by the yeas votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 133-20 passed by the yeas votes of J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 134-20:

An Ordinance amending Chapter 917 of the codified ordinances of the City of Medina, Ohio by the addition of a new Section 917.13 relative to COVID-19 Related Service Disconnections. Mr. Shields moved for the adoption of Ordinance/Resolution No. 134-20 and stated this Ordinance may need to be modified and will let Mr. Dirham explain, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 134-20, seconded by Mr. Simpson. Mr. Dirham stated the amendment that we need is to sections "C" per discussion at Finance Meeting we should add to the end of that sentence that if the account is terminated three times during the repayment. This creates a payment plan to any customers who are shutoff when we begin doing shutoffs again they can get a 12 month payment plan and there are some stipulations that are explained in there but they first need to contact the finance department because this will not be automatic. The delinquent amount will be spread out over 12 months and then penalties won't apply to those payment plan amounts but if their account is terminated 3 times during repayment then on the third one the payment plan will be terminated and they will have to pay the entire amount. The next ordinance talks about some help we are going to give them at the end of that. We urge people to get a hold of the finance department to work out the payment plans. The roll was called on adding the emergency clause and was approved by the yeas votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, and E. Heffinger. Mr. Shields motioned to modify Ordinance 134-20, seconded by Mr. Simpson and was approved by the yeas votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. Mr. Shields moved for the adoption of Ordinance/Resolution 134-20 as amended, seconded by Mr. Simpson. The roll was called on the amendment and passed by the yeas votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 135-20:

An Ordinance authorizing the expenditure not to exceed \$8,750.00 to pay \$25 toward delinquent utility accounts occurring March through June, 2020 during the COVID-19 pandemic. Mr. Shields moved for the adoption of Ordinance/Resolution No. 135-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 135-20, seconded by Mr. Simpson. Mr. Dirham stated this ordinance will set aside money to give each resident who has delinquent amounts once we resume service terminations and gets on those payment plans we discussed they will get a \$25 payment toward the final payment on that payment plan. The roll was called on adding the emergency clause and was approved by the yeas votes of J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose. The roll was called and Ordinance/Resolution No. 135-20 passed by the yeas votes of P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, and B. Lamb.

Ord. 136-20:

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. 136-20, seconded by Mr. Simpson. Mr. Dirham stated there are four amendments to the budget. The first two are donations. The third amendment is for the Municipal Court Probation Fund. The final one is we received an insurance check for damage to traffic signals. The roll was called and Ordinance/Resolution No. 136-20 passed by the yeas of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

To be added to the agenda:

Mr. Shield moved to add Resolution 137-20 to tonight's agenda, seconded by Mr. Simpson, the roll was called on adding Res. 137-20 to agenda and passed by yeas of J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Res. 137-20:

A Resolution that strongly urges the citizens of the City of Medina, Ohio to wear facial coverings, socially distance, and sanitize their hands to limit the spread of COVID-19. Mr. Shields moved for the adoption of Ordinance/Resolution No. 137-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 137-20, seconded by Mr. Simpson. Mr. Heffinger stated that is not a mandate, this is us strongly urging our citizens to follow these three main factors that help slow down the spread of COVID-19. This is science backed, the Health Department of Medina and for the State of Ohio and the CDC all recommend these things and we want to make a strong, clear message to the citizens of Medina that these are things that we are asking you all to partake in. The ultimate goal here is not that we all stay home and hide, it is that we are active members of our community that help our businesses, that frequent them, but also take care of each other.

Mayor Hanwell stated that it was a pleasure to work with councilman Heffinger to work out this resolution and as a result of those discussions he also had the opportunity to reach out to the City Manager of Brunswick, the Mayor of Wadsworth Colleen Swedyk who is one of 3 Medina County Commissioners, and Krysta Wokowski who is our Health Commissioner, and collectively the group agreed subject to the Medina County Commissioner's approval at tomorrow's 9:30 a.m. meeting to do a blanket PR Promotion of the same three factors of wearing of facial covering, socially distancing and sanitizing hands this shows stronger to do this county wide because our surrounding counties have all been deemed red already by the Governor's office.

Letter sent to John Coyne from Dolly Yowler:

I am happy to read in the July 9, 2020 edition of the Medina Gazette that the mayor is not in favor of mandating mask wearing. Even when the governor was going to mandate it for the State of Ohio, he reversed his decision. Council people Heffinger, Hazeltine, and Lamb seem to want to involve too much government in the City of Medina. I personally have asthma and when I am required to wear a mask (i.e. entering medical facilities), my BP sky rockets; but my biggest issue

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is feeling like I am literally suffocating. Doctors are very busy now and they don't have time to have added issuing notes to people to prove that there are medical issues that are affected by mask wearing. I realize that some people have stated they don't like going into store when they see people are not wearing masks. That can work both ways. People may not go into businesses such as grocery stores if masks are mandated. I for one, will travel further which would be sad since I like to support our local businesses.

There are too many unknowns about the virus. Even doctors will tell you that the antibody tests are not reliable yet, also the tests for Covid-19 have been known to show false negatives and false positives. Many people have other underlying medical conditions that may have been their cause of death; yet reported as COVID.

My big question I have asked and no one seems to know the answer, is if masks are helping so much, then why is it that the numbers were the highest for people living in nursing homes during the beginning of this crisis? Nursing home residents have to wear masks all the time unless they are in their rooms alone. They have not been allowed to have visitors or leave the facilities unless for medical reasons. The staff that is coming and going, is also required to wear masks. So there are people who are basically isolated, wearing masks all the time and one of the greatest amount of people who were getting COVID.

If anything is enforced, it should be the social distancing. Nationwide, it seems that the places that are increasing the most in cases, are the larger cities and where people are close together at bars and restaurants. It doesn't make sense to wear a mask at a restaurant with people having to take their masks off and on in order to eat their food. Plus, in my opinion, the way people are always touching the masks, it doesn't keep them very sanitary. People touching things and then touching their masks, seems like people touching other things and then touching their faces. Most people probably wouldn't even be touching their faces that much if they didn't keep adjusting the masks.

Some people might just be against being told they have to wear masks; but please remember, there are other people who have medical conditions who are able to still go out and do things on their own. Grocery stores who offer shopping online/curbside pickup, were backed up for weeks for orders the last I know. You shouldn't prevent people from doing their own grocery shopping just because of a mask issue. The stores are doing extra cleaning anyway; thus a better idea would be to have some hours for those who don't wear masks. There are other ways around the mandating issue.

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, J. Coyne, and J. Hazeltine. The roll was called and Ordinance/Resolution No. 137-20 passed by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Council Comments:

Mr. Heffinger thanked Council President John Coyne for help with language and writing Resolution 137-20, Krysta Wokowski for continuously talking to me over the past couple of weeks about this and thanked the Mayor for sitting down with him and hopefully coming up with

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something that is a little bit stronger will work with the other communities.

Mrs. Hazeltine stated for necessity of repetition to please be kind, she stated this past week that sentiment seems to have been forgotten as people rush to take sides and politicize a public health issue. Jessica stated she campaigned hard for this position so that she could improve the quality of life for all of the residents of Medina not to see individuals call each other vial names and create further division in our city. The outpouring of negativity and downright hate on social media was astounding, some people sit behind a keyboard and forget all human decency. Two individuals actually shamed me for living in a home so small that I had to participate in online council meetings from the privacy of my bathroom the only room in my home that is not a bedroom that has a door. I have two children, two dogs and a husband who don't deserve to be silenced while I do a three hour council meeting. Some people expressed their opinions to me in a calm respectful way. Their opinions are important and an extremely valuable part of what creates a fair and balanced local government. Mrs. Hazeltine requested everyone to take a moment to reflect back on the past few weeks. Are you proud of what you see? Are you proud of the words that you shared with the public? She realizes that she has made some mistakes but tonight she asks that everyone take those thoughts and energy and think about how you can use them to better yourself and to better our community. It's been said that it takes a village, this is our village so let us unite and work together to keep it a place that we are proud to call home.

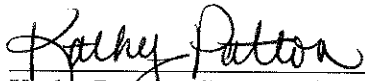
Mr. Lamb stated that since this is the topic of the moment the mandatory mask ordinance which he was in favor of and still would have preferred but one way to look at the result is that if councilman Heffinger had not taken a lead in this then the proposed mandatory mask ordinance would never have morphed into the resolution and the effort to make the push for people to wear masks go countywide. He hopes there would be a positive impact. Sometimes things that seem controversial or difficult may also be really important. In his opinion there is nothing more important than health. Not the economy, not politics, but health. When you look at wearing a mask that can help not guarantee but can help to stop spread COVID-19 what you are doing is hoping not to be a person who might infect somebody and cause their death, and that matters. Bill stated if he wears a mask all the time, if everybody wore a mask, he would be willing to wear the mask if it saved one person's life during the entire pandemic because certainly that one person's life would matter. When we talk about the difficulty of wearing the mask there are always exceptions for people who have medical reasons why they can't. As councilwoman Hazeltine said, we need to talk to each other in a different vocabulary. Some accusations that the mask ordinance amounted to a violation of human rights and would make the city liable for false hope and constituted an infringement upon the rights of Americans and constitutions of the legislation is outside of his oath of office to uphold the laws of the United States.

Mr. Simpson – Just be kind to one another.

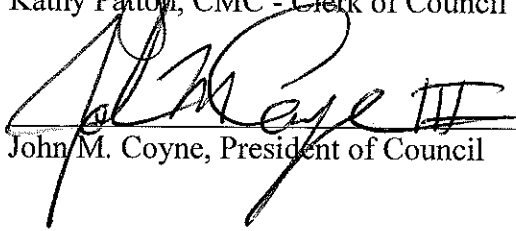
Mr. Coyne stated there will be a budget meeting on Wednesday at 5:30 p.m.

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There being no further business before Council, the meeting adjourned at 8:23 p.m.



Kathy Patton, CMC - Clerk of Council



John M. Coyne, President of Council