

MEDINA CITY COUNCIL
Monday, March 22, 2021

Call to Order:

Medina City Council met in regular session on Monday, March 22, 2021 at Medina City Hall. The meeting was called to order at 7:30 p.m. by Council President Pro-Tem Jim Shields who led in the Pledge of Allegiance.

Roll Call:

The roll was called with the following members of Council present: D. Simpson, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields. J. Coyne was present but filling in as Acting Mayor.

Also present were the following members of the Administration: Acting Mayor – John Coyne, Greg Huber, Keith Dirham, Patrick Patton, Nino Piccoli, Jonathan Mendel, Police Chief Kinney, and Clerk Kathy Patton.

Minutes:

Mr. Simpson moved that the minutes from the regular meeting on Monday, March 8, 2021, as prepared and submitted by the Clerk be approved, seconded by Mr. Rose. The roll was called and the motion passed by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Reports of Standing Committees:

Finance Committee: Mr. Shields stated Finance Committee met prior to Council this evening and will meet again in two weeks on Monday, April 12th, 2021.

Health, Safety & Sanitation Committee: Mr. Simpson is planning to schedule for a meeting sometime in April.

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb stated they held a meeting on March 9th discussing two topics - Demolition and Feeding Wild Animals. They will continue the discussion on demolition but the Ordinance passed on Feeding Wild Animals out of Special Legislation and tonight Finance approved it to move to Council.

Streets & Sidewalks Committee: Mr. Heffinger had no report. Mr. Heffinger stated they did receive a grant for East Reagan Parkway lighting.

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

Emerging Technologies Committee: Mr. Rose had no report.

Requests for Council Action:

Finance Committee

21-057-3/22 – Budget Amendments

21-058-3/22 – Amend Code 133.01 – Association Memberships – Police

21-059-3/22 – General Liability Insurance Renewal – USI / Argonaut Insurance Co.

21-060-3/22 – PY20 CHIP – Tenant Based Rental Assistance Contract – MMHA

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21-061-3/22 – MCRC Facility Monitor Temporary Assignment
21-062-3/22 – Amend 79-19 – Program & Activity Rate Change Proposal – MCRC
21-063-3/22 – Sponsorship Banner Approval
21-064-3/22 – Cooperative Purchase Agreement – ODOT Sodium Chloride
21-065-3/22 – Capital Grant Application / Acceptance – ODNR E. Reagan Lighting
21-066-3/22 – Ohio EPA Level 2 Electric Vehicle Charging Stations Grant
21-067-3/22 – Transfer City Owned Property on W. Liberty St. to Medina City Development Corp.

Reports of Municipal Officers:

Dennis Hanwell, Mayor, was not present, but Acting Mayor John Coyne stated he will be addressing Ordinance 49-21 tonight. He thanked the department heads and Council for doing a great job.

Keith Dirham, Finance Director, reminded all residents that the City of Medina does have an income tax and that is collected for us by RITA. They are available at www.ritaoh.com and forms are also available there.

Greg Huber, Law Department, had no report.

Chief Kinney, Police Department, had no report.

Chief Walter, Fire Department, was not present.

Kimberly Marshall, Economic Development Director, was not present.

Jonathan Mendel, Planning Community Director, had no report.

Dan Gladish, Building Official, was not present.

Jansen Wehrley, Parks and Recreation Director, was not present.

Nino Piccoli, Service Director, had no report.

Patrick Patton, City Engineer, Patrick announced that even though this project isn't strictly in the city limits it will affect a lot of city residents. ODOT is starting a project on 3/31/21 on SR 3 starting from Fenn Rd. to I-71 and lasting 150 days. Traffic will be maintained southbound only.

Notices, communications and petitions:

Liquor Permit:

Mr. Simpson move to not to object to the issuance of a new C2 permit to Rivalry Brews LLC dba Rivalry Brews, 1st floor, 124 Lafayette Rd. #101, seconded by Mr. Rose. The roll was called and the motion passed by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Unfinished Business:

There was none.

Introduction of Visitors:

There were none.

Introduction and Consideration of Ordinances and Resolutions:

Mr. Simpson moved to suspend the rules requiring three readings on the following ordinances and resolutions, seconded by Mr. Rose. Ord. 39-21, Res, 40-21, Ord. 41-21, Ord. 42-21, Ord. 43-21, Ord. 44-21, Ord. 45-21, Res. 46-21, Ord. 47-21, Ord. 48-21. The roll was called and the motion passed with the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Hazeltine, and E. Heffinger.

Ord. 039-21:

An Ordinance authorizing the Mayor to execute a Memorandum of Understanding with the Medina County Board of Commissioners and the City of Medina, for Medina TV Production Services of County programming. Mr. Simpson moved for the adoption of Ordinance/Resolution No. 039-21, seconded by Mr. Rose. Mr. Simpson moved that the emergency clause be added to Ordinance/Resolution No. 039-21, seconded by Mr. Rose. Mr. Fry stated they donated equipment to the County Commissioners and this kind of goes hand in hand as we started during this COVID crisis in assisting the county through their times of getting through the process of getting their technology streamlined to cover their meetings. They liked the agreement so much that we decided to work as a partnership. They will pay the hours when our staff is there and we will collect that on a quarterly basis and thanks to Mr. Huber's help, the Memorandum of Understanding you see here. Emergency clause is needed due to services have already begun and would like to make this retroactive to late February. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Hazeltine, E. Heffinger, and B. Lamb. The roll was called and Ordinance/Resolution No. 039-21 passed by the yea votes of J. Shields, D. Simpson, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

Res. 040-21:

A Resolution authorizing the application for grant assistance from the Supreme Court of Ohio for the 2021 Technology Grant for the Medina Municipal Court. Mr. Simpson moved for the adoption of Ordinance/Resolution No. 040-21, seconded by Mr. Rose. Mr. Shields stated this was a grant that they had received and this is the final steps for the Mayor to execute the agreement on behalf of the court to receive the technology grant. The roll was called and Ordinance/Resolution No. 040-21 passed by the yea votes of D. Simpson, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

Ord. 041-21:

An Ordinance amending Section 31.14 (L) of the Salaries and Benefits Code of the City of Medina, Ohio relative to Sick Leave. Mr. Simpson moved for the adoption of Ordinance/Resolution No. 041-21, seconded by Mr. Rose. Mr. Dirham stated that this will clarify the requirements for an employee to cash out unused sick time at the time of leaving the City. Currently it states you can only do that at the time of retirement. The roll was called and

Ordinance/Resolution No. 041-21 passed by the yeas votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 042-21:

An Ordinance amending Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Building Official paygrade. Mr. Simpson moved for the adoption of Ordinance/Resolution No. 042-21, seconded by Mr. Rose. Mr. Mendel stated this is for a pay adjustment for our Chief Building Official Dan Gladish and is a salary pay grade increase from 113 to 114 which ends up being a 5% salary increase. Dan has worked for and accomplished significant certifications through the State of Ohio Board of Building Standards and the International Code Council. This allows the City of Medina's Building Department to perform in house planning examinations for commercial projects. The roll was called and Ordinance/Resolution No. 042-21 passed by the yeas votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Hazeltine.

Ord. 043-21:

An Ordinance amending Ordinance No. 157-20, passed September 14, 2020, relative to the West Liberty Storm Sewer Improvement / City Hall Parking Deck Detention Project. Mr. Simpson moved for the adoption of Ordinance/Resolution No. 157-21, seconded by Mr. Rose. Mr. Simpson moved that the emergency clause be added to Ordinance/Resolution No. 157-21, seconded by Mr. Rose. Mr. Patton stated council authorized this project originally last fall. We received bids but unfortunately none of the bids were in the projects' budget so the BOC were forced to reject them. Patrick would like to rebid the project and increase the budget to \$204,000.00 and is asking for emergency clause to get this detention system in as soon as possible. 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. Hazeltine, and E. Heffinger. The roll was called and Ordinance/Resolution No. 157-21 passed by the yeas votes of P. Rose, J. Shields, D. Simpson, J. Hazeltine, E. Heffinger, and B. Lamb.

Ord. 044-21:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the 2021 Concrete Street Repair Program. Mr. Simpson moved for the adoption of Ordinance/Resolution No. 044-21, seconded by Mr. Rose. Mr. Patton stated this is their annual project to replace miscellaneous pavement sections throughout the city and are requesting \$500,000.00. The roll was called and Ordinance/Resolution No. 044-21 passed by the yeas votes of J. Shields, D. Simpson, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

Ord. 045-21:

An Ordinance authorizing the Final Resolution and execution of all documentation between the Ohio Department of Transportation and the City of Medina for the SR 18 Corridor Improvement Project. Mr. Simpson moved for the adoption of Ordinance/Resolution No. 045-21, seconded by Mr. Rose. Mr. Simpson moved that the emergency clause be added to Ordinance/Resolution No. 045-21, seconded by Mr. Rose. Mr. Patton stated this will be their agreement with ODOT relative to the State Route 18 project. This has been awarded to Fetchko Excavating a local contractor. Emergency needed as they are looking to get started as soon as

possible. ODOT is requesting the emergency clause due to them being delayed on their end in submitting the invoice and paperwork to the City of Medina. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 045-21 passed by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Res. 046-21:

A Resolution authorizing the Ohio Regional Development Corporation on behalf of the City of Medina, Ohio to file an application for grant assistance through the PY2020 Targets of Opportunity Cares Act (CDBG-CV) Grant Funding. Mr. Simpson moved for the adoption of Ordinance/Resolution No. 046-21, seconded by Mr. Rose. Mr. Simpson moved that the emergency clause be added to Ordinance/Resolution No. 046-21, seconded by Mr. Rose. Mr. Mendel stated this is to specifically use Cares Act dollars from 2020 for necessary facilities as part of the CDBG umbrella. This is for a facility in the city that is a critical part of our community and will be used for HVAC improvements that would cover materials and labor. This project has begun and the emergency clause is being requested. 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, and J. Hazeltine. The roll was called and Ordinance/Resolution No. 046-21 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Hazeltine, and E. Heffinger.

Ord. 047-21:

An Ordinance authorizing the expenditure to the Ohio Regional Development Corporation (ORDC) for the administration of the PY2020 Community Housing Impact and Preservation (CHIP) Program. Mr. Simpson moved for the adoption of Ordinance/Resolution No. 047-21, seconded by Mr. Rose. Mr. Mendel stated this is to contract with ORDC to manage and implement the new CHIP Program starting this year. The roll was called and Ordinance/Resolution No. 047-21 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Hazeltine, E. Heffinger, and B. Lamb.

Ord. 048-21:

An Ordinance amending Ordinance No. 217-20, passed December 14th, 2020. (Amendments to 2021 Budget). Mr. Simpson moved for the adoption of Ordinance/Resolution No. 048-21, seconded by Mr. Rose. Mr. Dirham stated there are two amendments to the budget. One is for the Civil Service Commission for testing that was not budgeted for. The other one is for the Medina Municipal Airport Detention Basin project. The roll was called and Ordinance/Resolution No. 048-21 passed by the yea votes of J. Shields, D. Simpson, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

Ord. 049-21:

An Ordinance authorizing the Mayor to enter into an agreement with USI Insurance Services LLC for the city's Property and General Liability Insurance for the period of April 1, 2021 through March 31, 2022. Mr. Simpson moved for the adoption of Ordinance/Resolution No. 049-21, seconded by Mr. Rose. Mr. Simpson moved that the emergency clause be added to Ordinance/Resolution No. 049-21, seconded by Mr. Rose. Acting Mayor John Coyne stated this came through our broker and is with USI Insurance Services LLC. This is our annual property and

casualty insurance coverage for the City of Medina which covers our buildings and contents for about \$61 million dollars. The total premium is \$270,098.00 of which includes a broker fee of \$10,500.00. Emergency clause is requested due to it becoming affective April 1, 2021 through March 31, 2022. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 049-21 passed by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson.

Council Comments:

Mr. Simpson stated some of the comments that have been made in the local news media and on Facebook from the “Save the Courthouse Committee” to the now “Stop Government Waste Committee”. As a citizen and as a council member he is offended by some of the accusations that are being made from this group. He has been quiet in the past but can no longer be silent, he does support the language and issue on the ballot for May 4th. There have been some less than truthful comments made in the media from Stop the Government Waste Committee. City Council had no secret meetings. It was also said that City Council and the Administration had approved the spending of money for the current parking deck outside of City Hall and that we used funds and built that parking deck specifically for the use of the new retail and apartment complex that is going to be happening and that is less than truthful. They keep using less than truthful tactics when they campaign that the 1969 Courthouse was going to be torn down. We are responsible for funding part of the Municipal Court and we are saving dollars. Dennie stated he sees light at the end of the tunnel with this virus as long as people can get vaccinated. Be Kind to one another.

Mrs. Hazeltine stated she happens to live on the same street as former Ward I Councilman Chet Simmons and down the street on Washington is former Ward I Councilman John Wetzel and during this weekend she thought it was a cool opportunity that all happened to be on the sidewalk outside Mr. Wetzel’s house at the same time – Three generations of Ward I Council People.

Regarding the Courthouse, Jessica thinks the public has got to know her over the past year and a half and she doesn’t sit on things, she is not afraid to say what she thinks or how she thinks things should be and she is not going to remain silent now either. As a citizen and as a council woman she feels what we are putting on the ballot is absolutely the best thing for the city. It disappoints her that people spend their time and money and their energy working against their city when they can put so much positive energy into doing something great which is what we have come up with.

Mr. Heffinger echoes what has already been said.

Mr. Rose also echoed what council persons Simpson and Hazeltine have said. He said he is offended by what the Stop Government Waste Committee has been saying. He has had an interest in the city for a long time and has always been one to try to find ways to save money for the city in some way shape or form. Saving tax dollars is one of the things he ran on back in 2009 to not increase taxes but to increase the tax base. Part of the building the Parking deck was for a courthouse use, for city hall use, as well as for the use of the general public which would include the retail space and apartment space these have always been part of the plan. There is also a TIF

and how that is paid - and maybe sometime in the future we'll have a lesson on how we will get our money back from that - but in short, we are not paying for that parking deck the developer is paying for that parking deck. Paul believes there has to be another reason for why these people are doing what they are doing. Why they are playing on the emotions of the public and saying Government money is being wasted. Mr. Rose spoke in regards to the Domestic Relations Judge Mary Kovack and how she wrote a two page letter, the last three items were her idea on why she thinks she should have her own courthouse and not participate. We need to involve Bob Finnan, The Gazette, The Plain Dealer, the Sun News and whatever other newspaper should investigate that and find out why they are telling these lies, why the judge thinks she needs her own courthouse and why the residents of the City of Medina shouldn't be allowed to save their money in corroborating with the County in participating in doing the courthouse. The ship has sailed in us doing the combined courthouse with the county. The next best option is to rehab the 1969 courthouse building. Paul stated he is going to start, with the help of his wife, the "Preserve History Together, Make History Together" campaign to promote the vote YES on the issue to allow the city to spend the money to rehab the courthouse on the square.

Mr. Lamb stated wherever you live in town, whatever neighborhood you belong to, you see the results of the hard work of the people that came before us and the people that are here now. That is why we have what we have. We have an opportunity to continue to do some really great things and this is an opportunity that may not come again. We have worked together with the county, we have a plan, we have an issue on the ballot, early voting starts on April 6th and there is no question about it, we need you to come out and we need you to come out and vote YES for issue 1. It is a money saver. If you vote NO, we will end up spending more money, and those are the facts! Bill spoke highly of Wilda Bell and hopefully one day having a community center and naming it after her.

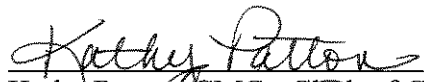
Mr. Shields added he sees signs that say "Stop Government Waste" and he can't think of a group or an administration who do more to not waste government dollars. We have a 5 year budgeting process because we take it very seriously. We have the lowest income tax rate of a city our size that we stretch very far. With this council it is hard to get money approved, we are very tight with tax payer dollars. We do not waste government funds, just the opposite, we try to do as much as we can for our residents without asking for more and making due with what we have. He stated he and John have been working on this muni court issue for over 20 years and many times we have not been able to solve this issue because we didn't believe that we should spend the money that was being requested for a municipal court. Right now, at this time, we have administrations and 7 council members who feel this is a good deal for tax payers, and we have put a lot of time and effort in figuring out the best thing to do for this municipal court, we know it needs to be improved, we know it needs to be enlarged, and we have a great opportunity to take this building on the square that all of us wanted to keep, we never wanted to see it get torn down and if we can get that municipal court in there he thinks it ensures that building is going to stay on the square for many years which is what all of us wanted from the very beginning. Mr. Shields asked the residents to please talk to us, we would be glad to tell you about why we think this is a good use of tax payers' money and why we take your tax dollars very seriously when we make these decisions.

Mr. Rose stated the money that is going to be spent for this is not tax dollars, there is not going to

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be any tax increase, there is not going to be anything coming out of the current budget. It is coming out of money that has been saved by the courthouse in excess of over 20 years over \$4 million dollars. The city has money that has been allocated for special capital projects. The difference that may be made up, the court will pay. It is not government waste, the waste is coming out of that law firm across from the Library.

There being no further business, the meeting adjourned at 8:17 p.m.



Kathy Patton, CMC - Clerk of Council



John M. Coyne, President of Council