

MEDINA CITY COUNCIL
Monday, April 26, 2021

Call to Order:

Medina City Council met in regular session on Monday, April, 26, 2021 at Medina City Hall. The meeting was called to order at 7:30 p.m. by Council President John Coyne III who led in the Pledge of Allegiance.

Roll Call:

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

Also present were the following members of the Administration: Mayor Dennis Hanwell, Greg Huber, Keith Dirham, Patrick Patton, Nino Piccoli, Jonathan Mendel, Police Chief Kinney, Fire Chief Walters, Jansen Wehrley, Dan Gladish, Clerk of Council Kathy Patton, Jeanne Pritchard, Nathan Case and Dave Clardy.

Minutes:

Mr. Shields moved that the minutes from the regular meeting on Monday, April 12, 2021, as prepared and submitted by the Clerk be approved, seconded by Mr. Simpson. The roll was called and the motion passed by the yea votes of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated Finance Committee met prior to Council this evening and will meet again on May 10th.

Health, Safety & Sanitation Committee: Mr. Simpson stated he will hold a meeting at 5 p.m. on May 10th prior to the Finance meeting.

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb stated they will take another look at the proposal on demolition sometime in June. Bill stated for the benefit of everyone at City Council and administration, he would like to put back into Special Legislation the Feeding Wild Animal legislation. All were agreeable.

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

21-081-4/26 – Debt Refinancing and New Debt Issuance

21-082-4/26 – Application for Federal Grant Funds – State Road Reconstruction

21-083-4/26 – Donation – 25 Dell Computers to Medina City Schools

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- 21-084-4/26 – D.A.R.E. Vehicle Donation
- 21-085-4/26 – Amend S&B Code, Convert Part-Time Code Enforcement Inspector to F/T.
- 21-086-4/26 – Armstrong Internet Access Line – Municipal Court
- 21-087-4/26 – ODOT Traffic Signal Maintenance Agreements
- 21-088-4/26 – Expenditure Over \$15,000 – Wintrow Construction – Engineering
- 21-089-4/26 – Increase P.O. #2021-1040 – Absolute Construction – CHIP Grant
- 21-090-4/26 – Approve MCRC Sponsorship Banner
- 21-091-4/26 – Accept (1) One Easement – N. Broadway Bridge Replacement

Reports of Municipal Officers:

Dennis Hanwell, Mayor

- A. Covid-19 - Medina County remains in red level. Please remain vigilant with avoiding large gatherings, wearing masks in public, washing hands frequently and social distancing. Updated information on business openings, safety protocols, etc. are on the City and Medina County Health Department websites. All of your efforts, along with ongoing vaccine administration, has greatly reduced the number of cases in our county as well as hospital admissions. Well done!
- B. City Hall open effective 8 a.m., April 2, 2021. Masks required and social distancing will be maintained.
- C. Misinformation by Save Your Courthouse (my opinion) - In November they told voters the county courts would be torn down & county would not proceed without city- both not true. Now telling voters we are trying to overrule the vote in November. The vote in November required the City to go to voters like we are. Ballot language was- "...to prohibit the City of Medina from authorizing, appropriating or spending funds for or using city resources to facilitate demolition or construction at the Medina County Courthouse... without a vote..." Also telling voters new parking deck will be turned over to developers - City owns and will own the parking deck. Deck is public parking available for all. No spaces will be reserved for development. The City Council is obligated pursuant to ORC 1901.36 to provide "suitable accommodations" for the Municipal Court. We have acknowledged for over 20 years their current space is not adequate and are on notice to resolve this.
- D. Letter to Editor Friday 4/23- Claim that Muni Court could be expanded at its current site more economically - not true. Last estimates were \$9m to \$11m then need to add cost to move off site and pay to renovate temporary location, then move back again. Claim city wants to give parking deck to new developer- not true. City will retain ownership and no spaces will be reserved for any commercial development. City's cost for new construction on Square was \$8m., cheaper to renovate 1969 than build new. Claim that court charged excessive fees for "parking tickets and other fees". Not true- parking tickets are civil process that does not go to Muni Court. \$4m in fees should be used for "better purposes"- the city is required to use these funds only for court purposes to upgrade court facilities. Building on site loses all efficiencies that have been shared repeatedly with public. Do not be misled- collaboration with county on the courts makes most sense operationally and fiscally to provide required suitable accommodations.
- E. Business Testimonials- Please visit City of Medina website, www.medinaoh.org , then

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Economic Development page; then business testimonials- Ravago, The Foundry, Kokosing, Sandridge, and Echelon. Business owners and CEO's talking about their experience with city and helping to see how great Medina is.

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. Filing deadline for 2020 taxes was pushed back to May 17th to match the state and federal deadline.

The American Rescue Plan Act Funds - There is an Ordinance here on the agenda tonight to create a fund for those. We have been advised by our Federal Government that our estimate for the City of Medina is about \$5 million dollars.

Greg Huber, Law Department, had no report.

Chief Kinney, Police Department, stated the Police Department is hiring for the position of Patrol Officer. Interested candidates can find information for that and apply at www.meditinaoh.org under the employment tab. The application deadline is May 26th and the written test will be held on June 2nd. Will also be announcing a test for dispatch position as well so stay tuned for that.

Chief Walter, Fire Department, offered notice primarily for the Medina Township and Montville Township residents that the department is trying to get the driveway bridge safety for approval program going again. This is for property owners that have long driveways that would require a fire truck to cross over a bridge or large culvert in order to get to the residences. Captain Ingersol is working with someone from the state or ODOT to come up with an approval program that the property owner or business owner can use to get their bridges and culverts certified for the trucks to pass. If they pass they can get a sign at their discretion placed at the end of the driveway to identify that driveway is one that has been approved. This is a free service. Additional information can be found on the Fire Department Facebook page.

Kimberly Marshall, Economic Development Director, was absent.

Jonathan Mendel, Planning Community Director, had no report.

Dan Gladish, Building Official,

Quick Up-Date on the Community Development - Building Department Construction Activities for the first quarter of 2021 - with a week still to go.

Building Permit numbers are up by 10% - compares to last year's first quarter.

Some of the larger project - broken down into Four categories are:

Industrial - 5 Projects

Carlisle Brake & Friction

Sealy Mattress

Spray Products

Buckeye Fresh

Do It Best

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These five businesses together, are looking to employ close to two hundred people.

Commercial – 4 Projects

CSL Plasma – on North Court – \$1.1 Million dollar new tenant interior alteration project that will occupy two existing vacant storefronts.

Discount Tire – on North Court – Old Pizza Hut Site – this project got off to a slow start – now looks like a building with the amount of block work that was done in the last week - Scheduled to be completed in July – Rear drive isle behind this site will be rebuilt and resurfaced.

Taco Bell – on North Court - New building on existing site

Chick-Fil-A – on North Court - New Building on existing site of Eat N Park

The last two projects are planning on starting construction in May.

Medical - 2 Projects

Medina Hospital – Two major interior alteration projects – with two more on the drawing table

Residential

Total of 18 new Residential Housing Units - these housing units are throughout the city.

Jansen Wehrley, Parks and Recreation Director, announced this Thursday, April 29th is Arbor Day in the City of Medina. Jansen thanked the Noon Kwanis because this was the 40th year that they potted seedlings for the 3rd graders in the school district. (Including MCC and St. Francis) over 700 trees were potted up for planting. Jansen thanked them for their continued commitment and contribution to the youth in the community. This year they will be doing a virtual presentation with our Medina TV.

Senior Spring Fling at the rec center is also on Thursday, April 29th 11 a.m. – 1 p.m. and registration is required.

Beginning on May 1st, they will begin selling a limited amount of season passes for the Memorial Pool. Capacity is limited to 150 people and are scheduled to open on May 29th and operational hours will be 11 a.m. to 6 p.m. Looking to do some programming after hour swim lessons.

Nino Piccoli, Service Director, stated the very desired Yard Waste Program began this morning and will continue through November 30th. Please place the items at the curb on your regular day of trash pickup.

Hydrant flushing will start in May. If residents experience discolored water, run the cold water to flush it out.

Patrick Patton, City Engineer, Patrick reported the BOC awarded 3 contracts: Ray Mellert Trail Resurfacing Phase 2, Annual Concrete Pavement Joint Sealing Program and the City Hall Parking Deck Detention Basin.

Out to bid now is our 2021 Concrete Street Repair Program.

Notices, communications and petitions:

There were none.

Unfinished Business:

Ord. 55-21 (second reading)

An Ordinance authorizing the Law Director to prepare the necessary documentation for the transfer of City Lot 9374, PPN 028-19A-21-391 containing 0.1874 acre of land to the Medina City

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Development Corporation (CIC). Mr. Coyne stated they are getting information together and Mr. Huber is working on an agreement between the City of Medina and the CIC after obtaining an appraisal of the property so that the CIC will have to pay back the City of Medina the value of the land being transferred over to the CIC for the development on West Liberty St.

Introduction of Visitors:

Jeanne Pritchard resides on High Point, and is president of their Association in Nantucket Colony. At the last meeting she requested council action concerning use of our parks and outdoor pool. She has not heard a response and is asking again tonight to consider her request. Doesn't feel Medina has the best programming in place to benefit the needs of all the children. Why are other cities opening their splashpads and Medina can't? How can City Council consider a community center as other facilities remain unused? We need to re-examine our current policies and ask for the community to be involved.

Mr. Coyne stated that Mr. Shields is the chair of the Public Properties Committee and Mr. Wehrley the Parks and Recreation Director have addressed some of your concerns.

Mr. Shields stated last Tuesday they had a two-hour meeting with Jeanne Pritchard. They have given her answers from the administrative side of things. Jim felt it was a productive meeting and then just received an email from her stating she wasn't interested in moving forward with our ideas. Jeanne questioned why can't the entire Public Property Committee meet together with people that are interested on these concerns instead of just a few people.

Mr. Shields feels they continually have given the answers and the answers were not acceptable to her, and even when they did come up some plans and some good ideas that Jansen and his staff worked very hard on, again they were rejected. Ms. Pritchard stated she didn't reject them, Powell did.

Mr. Shields stated they are not hiring additional people to staff the splashpads this year. Ms. Pritchard replied that there is no fiscal reason why you can't, you throw money around like it's nothing for everything and you forget about the youngest members of this community, the kids.

Mr. Shields disagreed with her stating they care very much about the children and takes exception to that comment.

Nathan Case resides in Medina, stated that progress only comes from compromising new ideas. Our City has spent countless hours, days and years planning well needed upgrades in our municipal court. Nathan thanked the people who opposed it every step of the way. The opposition to the court house has forced City officials to think outside of the box and create a plan that vastly superseded all the previous. Nathan spoke of the plans and space for the future Municipal Court.

A yes vote on Issue 1 will give our Municipal Court the space it needs at a fraction of any other previous costs and preserving the legacy of our 1969 courthouse forever insuring the skyline of Mainstreet Medina remains intact.

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Pat Walker – Mr. Coyne read a prepared statement from Ms. Walker in reference to no firefighters being at the fire house to respond to a call late at night or early morning hours – \$5 million dollars to move the Municipal Court would cover costs for firefighters to be on duty for ten years.

Dolly Yowler, a resident of Medina, commented on Facebook regarding the courthouse signs.

Introduction and Consideration of Ordinances and Resolutions:

Mr. Shields moved to suspend the rules requiring three readings on the following ordinances and resolutions, seconded by Mr. Rose. Res. 63-21, Ord. 64-21, Ord. 65-21, Ord. 66-21, Ord. 67-21, Res. 68-21, Ord. 69-21, Ord. 70-21. The roll was called and the motion passed with the yea votes of J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Res. 063-21:

A Resolution authorizing an application for grant assistance from the Medina County Drug Abuse Commission (MCDAC) for the Police Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 063-21, seconded by Mr. Simpson. Chief Kinney stated this is a request for permission to apply for the MCDAC grant and accept it if granted. This supports our School Resource Officer program. Emergency clause requested due to deadlines. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 063-21, seconded by Mr. Simpson. 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. 063-21 passed by the yea votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and J. Hazeltine.

Ord. 064-21:

An Ordinance authorizing the purchase of one (1) 2022 F-600 Cab and Chassis and one (1) 2021 F-150 Four Wheel Drive Truck from Montrose Ford for the Water Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 064-21, seconded by Mr. Simpson. Mr. Piccoli stated they discussed these purchases last year in the budget process. The dump truck will be replacing a 2006 truck. The second truck request is for an F-150 pickup truck replacing a 2008 truck with 113,000 miles. The roll was called and Ordinance/Resolution No. 064-21 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, and E. Heffinger.

Ord. 065-21:

An Ordinance authorizing the hiring of OHM Advisors for assistance in the preparation of an update to the Medina City Comprehensive Plan. Mr. Shields moved for the adoption of Ordinance/Resolution No. 065-21, seconded by Mr. Simpson. Mr. Mendel stated this process has gone through an RFP review and it was recommended for City Council approval. There are sufficient funds to cover this. The roll was called and Ordinance/Resolution No. 065-21 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, and B. Lamb.

Ord. 066-21:

An Ordinance authorizing the Mayor to enter into a Memorandum of Lease with Peaceworks, Inc. for the property at 406 S. Broadway Street. Mr. Shields moved for the

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adoption of Ordinance/Resolution No. 066-21, seconded by Mr. Simpson. Mayor Hanwell talked about the trailhead and house located at 406 Broadway St. stating the City and Peaceworks entered into a lease agreement and now they would like a renewal extending the lease another 5 years with an option for a second 5-years. The roll was called and Ordinance/Resolution No. 066-21 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

Ord. 067-21:

An Ordinance authorizing the Mayor to accept two (2) easements necessary for the Spring Grove Street Bridge Replacement Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 067-21, seconded by Mr. Simpson. Mr. Patton stated in order to accomplish this project we need to accept three easements and these are two of the three. The roll was called and Ordinance/Resolution No. 067-21 passed by the yea votes of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

Res. 068-21:

A Resolution donating twenty-five (25) Dell Optiplex Computers to the Medina City Schools. Mr. Shields moved for the adoption of Ordinance/Resolution No. 063-21, seconded by Mr. Simpson. Mayor Hanwell stated these are replacement computers, the city has a rotation schedule for all the computers that we use here and they are on a 4 to 5-year-old rotation. The schools have labs that these can be used in for another period of years and as required are within another government entity. It was brought up in the finance meeting whether these were offered to either Buckeye Schools or the Career Center, and the Mayor stated he knows for sure that they have been offered in the past and he will ensure to check with all three entities and if they have to split them up they will. Mr. Shields will abstain from voting on this since it involves his employment. The roll was called and Ordinance/Resolution No. 063-21 passed by the yea votes of J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and D. Simpson. J. Shields abstained.

Ord. 069-21:

An Ordinance establishing an American Rescue Plan Act Fund (#171) for the City of Medina. Mr. Shields moved for the adoption of Ordinance/Resolution No. 069-21, seconded by Mr. Simpson. Mr. Dirham stated as council is aware, ordinarily with federal grants and state grants as well, we have to apply and then if it is awarded to us we have to accept it. This is a little different because this is kind of a blanket thing that they are doing for everybody. We usually have to ask the State Auditor's office for permission to create a fund and have been given the blanket authorization to do this. The roll was called and Ordinance/Resolution No. 069-21 passed by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 070-21:

An Ordinance rezoning a portion of 123 W. Liberty St. from P-F Public Facilities to C-2 Central Business, and 364 Foundry St. and 347 N. Huntington St. from R-3 High Density Urban Residential to O-C, Open Space Conservation. Mr. Shields moved for the adoption of Ordinance/Resolution No. 070-21, seconded by Mr. Simpson. Mr. Mendel stated the Planning Commission reviewed this request and recommended approval. All three of these properties are currently city owned properties. The roll was called and Ordinance/Resolution No. 070-21 passed

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

Council Comments:

Mr. Simpson asked the residents to please vote for Issue 1, early voting is going on now.

Mr. Shields spoke on the splashpads since the topic was brought up tonight. These splashpads were set up in our parks, in the open (fence-free), and are free for all. There is never any staffing ever and were designed as a recreational opportunity where we didn't have to pay for staffing or have anyone there during the day. We are still planning to open those splashpads if the regulations from the Ohio Department of Health allow it. Right now, by the Responsible Restart Ohio Guidelines, we are not able to do that without having somebody there to monitor the number of people there, and to sanitize. We do not have that in the budget to do right now. Jim wants to assure everyone that if we can do it or if things continue to improve, we are going to be ready to open those splashpads. We are trying to come up with some special events where we can offer maybe a cookout and maybe open the splashpads periodically throughout the summer for the opportunity for the kids to be there, and we would have enough staffing to meet those responsible guidelines. Our city chooses to follow the Responsible Restart Guidelines and we will do everything we can.

Mrs. Hazeltine expressed to everyone to please vote yes on Issue 1. She said she is dismayed to hear that people actually think we don't have a lot of programs to offer. Check out the Rec Center Facebook page, there are so many free activities going on there.

Mr. Heffinger stated earlier there was a comment made that implied that city council doesn't care about the youth of Medina. That is the furthest thing from the truth especially if that was directed towards Mr. Shields. Jim has made a career here on council and working for Medina City Schools working for the best of this community. Eric thanked him personally because he knows he definitely does care about them.

Vote yes on Issue 1.

Mr. Rose echoed Eric's comments about Mr. Shields. Paul spoke of Jim's dedication to the children – he coached kids in baseball, he always has the best interest at heart when it comes to the kids. Mr. Rose stated he also takes exception to other things that are being portrayed here that the city is wasting money and that we can take the money that has been earmarked for the courthouse building only, it can't be used for anything else. Please vote yes on Issue 1.

Last week yes, his passion showed, he does have a passion for this city and a passion for saving money (ask his family) and he was accused of being unprofessional. Paul stated he would rather behave unprofessionally while telling the truth, than behave professionally while lying to the public.

Mr. Lamb stated he appreciates Nathan Case's comments today. Bill thanked Dave Clardy for all his work with Peaceworks, Spokes in particular. Mr. Lamb also thanked Jim Shields for all his time as a public servant and has known Jim since he was 12 years old and has great respect for

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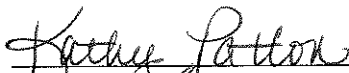
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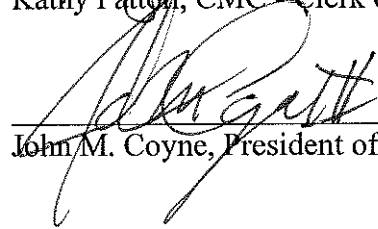
him. Bill stated this council and administration always keeps the best interest of our community first and foremost, trusting each other and cooperating in order to get the work done for this community. Council has kept this city financially sound year after year, and if there is government waste he sure hasn't seen it and in reality, no one else has seen it either.

Mr. Coyne followed up with Mr. Lamb as indicated regarding the city's finances and the issue that people are hearing about Issue 1 and government waste. We take the city finances seriously both existing, previous members of council, and the administration and previous administration. We look at the numbers hard and are proud to say that we've worked with the finance director to achieve a Moody's rating Aa1. For a city our size, that is the second best in the state with Westlake leading the way. Look at the facts with respect to what we do. As far as the Municipal Courthouse, we just want to make sure the 1969 building on the square is preserved forever. Vote yes on Issue 1.

There being no further business, the meeting adjourned at 8:27 p.m.



Kathy Patton, CMC - Clerk of Council



John M. Coyne, President of Council