

MEDINA CITY COUNCIL

Tuesday, October 11, 2022

Call to Order:

Medina City Council met in regular session on Tuesday, October 11, 2022 at Medina City Hall. The meeting was called to order at 7:31 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. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Also present were the following members of the Administration: Mayor Dennis Hanwell, Greg Huber, Keith Dirham, Nino Piccoli, Patrick Patton, Police Chief Kinney, Fire Chief Walters, Andrew Dutton, Kimberly Marshall, Jansen Wehrley and Dan Gladish.

Minutes:

Mr. Shields moved that the minutes from the regular meeting on Monday, September 26, 2022, as prepared and submitted by the Clerk be approved, seconded by Mr. Simpson. The roll was called and passed by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Reports of Standing Committees:

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

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

Public Properties Committee: Mr. Shields stated they are scheduled to meet Wednesday, October 12, 2022 around 5:45 p.m. Two items are: Discuss options for pickle ball courts in the city and review plans for skate park.

Special Legislation Committee: Mr. Lamb had no report but scheduled a meeting on November 9th at 6 p.m. to discuss proposal to adopt guidelines for displaying flags on government property.

Streets & Sidewalks Committee: Ms. Haire 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

22-224-10/11 – Budget Amendments

22-225-10/11 – Accepting Amounts & Rates of Budget Commission

22-226-10/11 – Increase P.O. #2022-805 – Ohio Edison – Service

22-227-10/11 – Increase P.O. #2022-583 – Airgas – MCRC

22-228-10/11 – Multi-Use Path Plan (ARPA fund project)

22-229-10/11 – Expenditure – Lampion Companies LLC – Airport

22-230-10/11 – Grant Application – Senior Services Network Grant – MCRC

22-233-10/11 – General Motors Electric Vehicle Charging Stations

Public Properties Committee

22-231-10/11 – Pickleball Court Discussion

22-232-10/11 – Skatepark Survey & Design Discussion

Reports of Municipal Officers:

Dennis Hanwell, Mayor,

- A. Thank you to staff and Council President John Coyne for covering while I was on vacation the past two weeks.
- B. Information on proposed deer hunting Ordinance and facts are posted on city website parks page and were sent out with October utility bills. Respectfully ask residents/voters to view same to be properly informed.
- C. Mayoral Proclamation for Dale Weygandt for his 25 years of serving on the Medina Shade Tree Commission.
- D. Mayoral Proclamation for the Medina Sunrise Rotary and Rotary International for their ongoing efforts to eradicate polio disease.

Frank Festi spoke on behalf of the Medina Sunrise Rotary Club who proudly joins all those who support and endorse World Polio Day on Monday, October 24th, 2022. For further information go to the website www.endpolio.org

Keith Dirham, Finance Director, stated the Finance Department today received a referendum petition regarding Ordinance No. 162-22. There were 1,742 signatures on 119-part petitions on this referendum petition and it is available in the Finance Dept. for a ten-day period of public inspection and then it will be transmitted to the Board of Elections so they can confirm the validity of the signatures.

Sgt. Darin Zaremba, IT Department, had no report.

Greg Huber, Law Department, had no report.

Chief Kinney, Police Department, had no report.

Chief Walters, Fire Department, had no report.

Kimberly Marshall, Economic Development Director,

This Friday, October 14th is the next round of ribbon cuttings with 3 scheduled, 10 a.m. – Operation Fandom and Blackbird Records located at 10 Public Square. 11 a.m. – Union Mortgage located at 225 East Liberty St., and 1 p.m. – Sweets & Geeks located at 342 East Smith Rd.

Jansen Wehrley, Parks and Recreation Director, commended Dale on his service with the Shade Tree Commission.

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Dan Gladish, Building Official, had no report.

Nino Piccoli, Service Director, the city is holding the annual auction on Saturday, October 22nd, at the city garage starting at 10 a.m.

Matt Esterly, Chief Probation Officer, had no report.

Patrick Patton, City Engineer, stated they have received the bids for the West Smith Rd. reconstruction project. Board of Control did award the project this afternoon and the cost is right around 5.2 million dollars. Since the total is above amount authorized by council the award is contingent upon council's approval to increase the amount authorized. This legislation will be at the next meeting.

Andrew Dutton, Planning and Community Development Director, had no report.

Notices, communications and petitions:

Liquor Permit:

Mr. Shields moved not to object to the TREX transfer of a D1, D2, D3 and D6 permit from Sweet Carrot Grandview, LLC dba Sweet Carrot & Patio, 1417 W. 5th Ave, Columbus, Ohio to Pickleback LLC, 220 N. State Street, Medina Ohio, seconded by Mr. Simpson. Motion passed by the yea votes of J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and R. Haire.

Unfinished Business:

There was none.

Introduction of Visitors:

Curtis Ross resides at 231 Simon Lane – spoke on the fire services in Medina City. He would like to start looking at having a full-time fire department on site at all times in the city of Medina.

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. Simpson. Res. 181-22, Ord. 182-22, Res. 183-22, Ord. 184-22, Ord. 185-22, Res. 186-22, Ord. 187-22, Ord. 188-22, Ord. 189-22, Ord. 190-22, Ord. 191-22, Ord. 192-22, Ord. 193-22, Ord. 194-22, Ord. 195-22, Ord. 196-22, & Ord. 197-22. The roll was called and the motion passed with the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire and J. Hazeltine.

Res. 181-22:

A Resolution congratulating Veterans' Treatment Court Valor Court Graduates. Matt Esterly stated many of our veterans return to civilian life burdened by serious trauma both physically and mentally and sometimes this leads these veterans to involvements with the criminal justice system. The Valor Court combines a wealth of support programs and treatment resources, offering judicially involved veterans a collaborative initiative designed to enhance their chances of successful reintegration in our communities while reducing the recidivism risks. On Tuesday, October 18th we will celebrate the first graduate. Mr. Shields moved for the adoption of

Ordinance/Resolution No. 181-22, seconded by Mr. Simpson. The roll was called and Ordinance/Resolution No. 181-22 passed by the yeas of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb.

Ord. 182-22:

An Ordinance amending Section 505.07 (a) of the Codified Ordinances of the City of Medina, Ohio relative to Cruelty to Animals Generally. Mr. Shields moved for the adoption of Ordinance/Resolution No. 182-22, seconded by Mr. Simpson. Mr. Wehrley stated this is to add the language except as permitted by 505.11 which is hunting by permit. The roll was called and Ordinance/Resolution No. 182-22 passed by the yeas of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose.

Res. 183-22:

A Resolution authorizing the filing of a grant application to the Office of Criminal Justice Services, State of Ohio for the 2022 Body Worn Camera Grant Program for the Police Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 183-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 183-22, seconded by Mr. Simpson. Chief Kinney stated this is a grant that will pay for two licenses for software as well as personnel costs. Emergency is requested due to being past deadline. The roll was called on adding the emergency clause and was approved by the yeas of D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 183-22 passed by the yeas of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 184-22:

An Ordinance authorizing the Mayor to enter into a Master Services Agreement with the Medina Port Authority for Fiber Transport Services. Mr. Shields moved for the adoption of Ordinance/Resolution No. 184-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 184-22, seconded by Mr. Simpson. Sgt. Zaremba stated this is for their fiber connection between the City of Medina and the High School for their disaster service bunker where all their data is backed up to. Emergency is requested as the MOU that the schools are paying for is dissolving. The roll was called on adding the emergency clause and was approved by the yeas of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 184-22 passed by the yeas of J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and R. Haire.

Ord. 185-22:

An Ordinance authorizing the Mayor to execute a Revocable Use Permit with South Court LLC for fencing and stairs and City Owned Parking Lot #4 (Fleckley Lot) Mr. Shields moved for the adoption of Ordinance/Resolution No. 185-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 185-22, seconded by Mr. Simpson. Mr. Dutton stated this is a revocable use permit between the city and South Court LLC which will allow South Court LLC which owns the property south of the parking lot for the Fleckley Lot remove a 4 ft. chain link fence and replacing with a 4 ft. attractive black metal fence, also replacing a staircase. Emergency is requested so work can begin this fall. The roll was called on

adding the emergency clause and was approved by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire and J. Hazeltine. The roll was called and Ordinance/Resolution No. 185-22 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb.

Res. 186-22:

A Resolution supporting West Creek Conservancy's Clean Ohio Green Space Conservation Program application for the Champion Creek Connector Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 186-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 186-22, seconded by Mr. Simpson. Mr. Wehrley stated this is a non-profit organization who intend to acquire 10 acres adjacent to Rosco Ewing Park and Stan Berry Maxine Nichols Park for the purposes of conservation and preservation. Emergency is requested due to time restrictions with grant application. The roll was called on adding the emergency clause and was approved by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose. The roll was called and Ordinance/Resolution No. 186-22 passed by the yea votes of D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields.

Ord. 187-22:

An Ordinance authorizing the increase of the expenditure to Kokosing Materials for the Service Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 187-22, seconded by Mr. Simpson. Mr. Piccoli stated Kokosing is one of the vendors they purchase asphalt material from. They've seen increases since the beginning of the year and are asking for this increase on the P.O. to get them through the end of this season. The roll was called and Ordinance/Resolution No. 187-22 passed by the yea votes of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 188-22:

An Ordinance authorizing the Mayor to enter into a Storm Water Operation and Maintenance Agreement between the City of Medina, Ohio and Taco Bell of America, LLC. Mr. Shields moved for the adoption of Ordinance/Resolution No. 188-22, seconded by Mr. Simpson. Mr. Patton stated the Ohio EPA requires them to enter into these agreements with any commercial or residential developer when they are doing a new project this simply commits the property owner to maintenance responsibilities for the life of the project. The roll was called and Ordinance/Resolution No. 188-22 passed by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 189-22:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the Fire Station #1 Parking Lot Replacement Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 189-22, seconded by Mr. Simpson. Mr. Patton stated this project will replace the majority but not all the parking lot at Fire Station #1. To be funded with ARPA Funds. The roll was called and Ordinance/Resolution No. 189-22 passed by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 190-22:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the City Railroad Drainage and Cross Improvements Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 190-22, seconded by Mr. Simpson. Patrick stated this will replace the surface crossing on SR18 near AI Root and correct a drainage problem. ORDC Grant will primarily fund this. The roll was called and Ordinance/Resolution No. 190-22 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire and J. Hazeltine.

Ord. 191-22:

An Ordinance authorizing the Mayor to accept one (1) Easement necessary for the Gates Mills Bridge Replacement Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 191-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 191-22, seconded by Mr. Simpson. Mr. Patton stated this is the final easement needed in order to complete the reconstruction of the Gates Mills Bridge. Emergency is requested because this project has been awarded and ready to start. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb. The roll was called and Ordinance/Resolution No. 191-22 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose.

Ord. 192-22:

An Ordinance authorizing the increase of the expenditure to Wintrow Construction for the emergency repair to the City Rail Line. Mr. Shields moved for the adoption of Ordinance/Resolution No. 192-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 192-22, seconded by Mr. Simpson. Mr. Patton stated they have experienced more than usual railroad repairs this year. Emergency needed because the work has already been completed. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 192-22 passed by the yea votes of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 193-22:

An Ordinance authorizing the donation of \$2,000.00 to Farmers & Hunters Feeding the Hungry for the year 2022. Mr. Shields moved for the adoption of Ordinance/Resolution No. 193-22, seconded by Mr. Simpson. Mr. Wehrley stated Farmers and Hunters Feeding the Hungry is a 501c3 non-profit organization. Hunters can donate meat from their harvested deer to two different processors in Wayne County. The roll was called and Ordinance/Resolution No. 193-22 passed by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 194-22:

An Ordinance authorizing the Mayor to enter into grant agreements with local businesses pertaining to the Economic Development Department's Small Business Workforce Assistance Grant Program. Mr. Shields moved for the adoption of Ordinance/Resolution No.

194-22, seconded by Mr. Simpson. Mrs. Marshall stated this is for council to approve 21 small business grant applications, we were originally looking at 22 and will have to make one modification to the number of grants and the dollar amount will change from \$108,000 to \$106,000 dollars. Mr. Shields moved to amend Ordinance No. 194-22 to reflect going from 22 to 21 small businesses and the dollar amount from \$108,000 to \$106,000, seconded by Mr. Simpson. The roll was called on the amendment and passed by the yea votes of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson. The roll was called and Ordinance 194-22 as amended was passed by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 195-22:

An Ordinance authorizing the expenditure of \$70,000.00 to the Medina Metropolitan Housing Authority (MMHA) to assist with Permanent Supportive Housing being construction in the City of Medina, Ohio. Mr. Shields moved for the adoption of Ordinance/Resolution No. 195-22, seconded by Mr. Simpson. Mayor Hanwell stated this is the two lots that were put together. Council approved the zoning change to provide ten units for permanent support of housing as well as for case manager on site. The \$70,000 is coming from the American Rescue Plan Act. The roll was called and Ordinance/Resolution No. 195-22 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire and J. Hazeltine.

Ord. 196-22:

An Ordinance to the amend the Codified Ordinance of the City of Medina, Ohio by amending Sections 1137.02 and 1137.04 of Part 11 – Planning and Zoning Code. Mr. Shields moved for the adoption of Ordinance/Resolution No. 196-22, seconded by Mr. Simpson. Mr. Dutton stated this request removes wholesale establishments from permitted use in the C-3 general commercial zoning district and moves it to a conditionally permitted use in the district. The roll was called and Ordinance/Resolution No. 196-22 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb.

Ord. 197-22:

An Ordinance amending Ordinance No. 201-21, passed December 13, 2021. (Amendments to 2022 Budget) Mr. Shields moved for the adoption of Ordinance/Resolution No. 197-22, seconded by Mr. Simpson. Mr. Dirham stated there are transfers where appropriations will cover negatives for the end of the year. There is a new appropriation that is for \$300.00 that is a pass through that was a donation. The roll was called and Ordinance/Resolution No. 197-22 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose.

Council Comments:

Mr. Simpson stated congratulated Mr. Weygandt. Thanked the Rotary Club for efforts world wide and especially for what they do for our community. Pray for Ukraine. Be Kind to one another, it makes a huge difference.

Ms. Haire applauded the Rotary's efforts to eradicate Polio around the world and for their continued work. In regards to Ordinance 193-22 Regi will join her fellow councilmen Paul Rose and make a personal contribution to this as she believes it is a great service to Medina and Wayne

Counties.

Ms. Hazeltine thanked Mr. Weygandt for his commitment to the Shade Tree Commission. She thanked the Rotary Club and congratulated the residents that got their signatures together for the referendum petition and feels democracy is playing out like it is supposed to.

Today is National Coming Out Day and Jess stated she is a huge advocate for the LGBTQIA+ community and she operates as a safe space for anyone to come to for any reason, completely confidentially. By Medina's passage of the non-discrimination legislation for the LGBTQIA+ community. Your city is there for you as well. She urged everyone to vote for the Health levy.

Mr. Shields congratulated Mr. Weygandt and thanked him and the Rotary. Mr. Shields stated last week they spent a day with the schools and the city looking at the athletic facilities in both the city and the school district and Mr. Wehrley joined them for the day. It's a great partnership where they share a lot of facilities. Jim pointed out and thanked Mr. Wehrley and his department. The facilities at Reagan Park are absolutely perfect and pristine and he appreciates all the work that Jansen and his department does. Jim offered his condolences to the family of former Ward One Councilman George Rogers.

Mr. Rose thanked Mr. Weygandt and thanked the Rotary club for all the work they do with Polio. Paul is wearing pink in honor of Breast Cancer Awareness month and also in memory of both his grandmothers and his youngest sister.

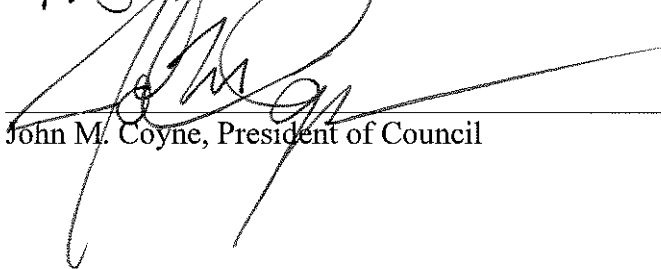
Mr. Lamb echoed his thanks to Mr. Dale Weygandt, and the Rotary Club stating it was interesting to hear the facts and statistics on Polio. Bill also thanked David for his commitment to the Veterans.

Mr. Coyne thanked the Rotary Club and is grateful for these service organizations that provide dedicated time away from their families to make the world a better place to live.

There being no further business, the meeting adjourned at 8:21 p.m.



Kathy Patton, Clerk of Council



John M. Coyne, President of Council