

**CITY OF MEDINA  
AGENDA FOR COUNCIL MEETING**

February 13, 2023  
Medina City Hall – Council Rotunda  
7:30 p.m.

**Call to Order.**

**Roll Call.**

**Reading of minutes.** (January 23, 2023)

**Reports of standing committees.**

**Requests for council action.**

**Reports of municipal officers.**

**Notices, communications and petitions.**

**Unfinished business.**

Ord. 18-23 (second reading)

An Ordinance rezoning a property located south of Lafayette Road and West of Industrial Parkway, Parcel Number 028-19C-17-041, from I-1, Industrial to R-3, High Density Urban Residential.

**Introduction of visitors.**

(speakers limited to 5 min.)

**Introduction and consideration of ordinances and resolutions.**

Motion to suspend the Rules requiring three readings on the following ordinances and resolutions: Ord. 24-23, Ord. 25-23, Ord. 26-23, Ord. 27-23, Ord. 28-23, Ord. 29-23, Ord. 30-23, Ord. 31-23, Ord. 32-23, Ord. 33-23, Ord. 34-23, Ord. 35-23, Ord. 36-23, Res. 37-23, Ord. 38-23

Ord. 24-23

An Ordinance amending Part Three, Sections 301, 351 and 353 of the Codified Ordinances of the City of Medina, Ohio pertaining to Public Parking Lots / Garages – Parking Regulations.

Ord. 25-23

An Ordinance amending Section 31.02 (B) (6) of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Municipal Court Probation Grant positions.  
(emergency clause requested)

Ord. 26-23

An Ordinance authorizing the payment of \$30,000.00 to Main Street Medina for the City's 2023 Membership Renewal.

Ord. 27-23

An Ordinance authorizing the expenditure of \$10,575.00 to the Medina County Society for the Prevention of Cruelty to Animals (SPCA) for animal related services for the year 2023.

Ord. 28-23

An Ordinance authorizing a water service connection at 4599 Abbeyville Road located in York Township.

Ord. 29-23

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for a one-year supply of the various kinds of maintenance materials needed for the streets and water lines, including but not limited to salt, the chemicals for use in the treatment of water, and water meters to be used by various departments of the City of Medina, Ohio.

Ord. 30-23

An Ordinance adopting the City of Medina's Equal Employment Opportunity Policy.

Ord. 31-23

An Ordinance amending Ordinance No. 221-22, passed December 12, 2022. (Amendments to 2023 Budget)

Ord. 32-23

An Ordinance authorizing the increase of the expenditure to Goodyear Tire and Rubber Company for the Sanitation Department.

Ord. 33-23

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.  
(emergency clause requested)

Ord. 34-23

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the purchase of one (1) Pac Mac "RLM 13" Series Truck Mounted, 13 cubic yard Rear Loader Packer Body to be mounted on a Freightliner M2 106 Conventional Cab and Chassis for the Sanitation Department.

Ord. 35-23

An Ordinance authorizing the payment to Dunlop & Johnston, Inc. for work performed at the Medina County Battered Women's Shelter as part of the CDBG-Target of Opportunity Grant.

Ord. 36-23

An Ordinance authorizing the Mayor to advertise for competitive bids and the award a contract to the successful bidder for the construction of a Fitness Room Addition at the Medina Community Recreation Center.

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Res. 37-23

A Resolution supporting Phase One of the Friends of the Cemetery's Spring Grove Cemetery Entry Gate and Mausoleum Repair Project.

Ord. 38-23

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the purchase of Self-Contained Breathing Apparatus (SCBA) for the Fire Department.

(emergency clause requested)

**Council comments.**

**Adjournment.**

MEDINA CITY COUNCIL  
Monday, January 23, 2023

**Call to Order:**

Medina City Council met in regular session on 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, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Also present were the following members of the Administration: Mayor Dennis Hanwell, Matt Linier, Keith Dirham, Nino Piccoli, Patrick Patton, Lt. Marcum, Andrew Dutton, Kimberly Marshall, Jansen Wehrley and Dan Gladish.

**Minutes:**

Mr. Shields moved that the minutes from the regular meeting on Monday, January 9<sup>th</sup>, 2023, as prepared and submitted by the Clerk be approved, seconded by Mr. Simpson. The roll was called and passed by the yea votes of J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and R. Haire.

**Reports of Standing Committees:**

**Finance Committee:** Mr. Coyne stated the first Finance Committee meeting of the year was held prior to this evening's Council meeting and will meet again in three weeks.

**Health, Safety & Sanitation Committee:** Mr. Simpson had no report but would like to schedule a Health, Safety & Sanitation meeting in February prior to the first or second Finance meeting of the month to give an update from the Police, Fire and Sanitation departments.

**Public Properties Committee:** Mr. Shields had no report. He stated he will be setting up a meeting due to a request for council action for public properties.

**Special Legislation Committee:** Mr. Lamb had no report. He is working on organizing the numerous RCA's in his committee that he will get together to discuss in February.

**Streets & Sidewalks Committee:** Ms. Haire stated they had their first meeting of the year prior to the Finance Committee meeting this evening. It was in relation to putting up a solar flashing sign for the crosswalk intersection of Ashwood Lane & Reagan Pkwy.

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

**Emerging Technologies Committee:** Mr. Rose reminded residents that the Emerging Technology Advisory Committee has a survey on electric cars on the city website and on an insert with your water bills. Please take a few minutes to answer some questions, thank you.

**Requests for Council Action:**

Finance Committee

23-017-1/23 – Transfer Request – MCRC Capital Contribution

23-018-1/23 – Budget Amendments

23-019-1/23 – Municipal Court – Intensive Supervision Probation Grant Positions

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23-020-1/23 – 2023 Membership Renewal – Main Street Medina  
23-021-1/23 – 2023 SPCA Funding Request  
23-022-1/23 – Water Connection Request– Abbeyville Road  
23-023-1/23 – 2023 Material Bids  
23-024-1/23 – Increase Exp. – Goodyear Tire – Sanitation Dept.  
23-025-1/23 – Purchase Rear Load Sanitation Truck  
23-026-1/23 – Payment – Dunlop & Johnston, Inc. – CDBG-Target of Opportunity Grant  
23-027-1/23 – Then & Now - Wintrow Construction – Emergency RR Repairs  
23-028-1/23 – South Court St. Hotel Easements – Discussion  
23-029-1/23 – Bids, Job #1055: MCRC Fitness Room Addition  
23-030-1/23 – Friends of the Cemetery – Entry Gate & Mausoleum Repair Project  
23-032-1/23 – Adopt Equal Opportunity Policy

**Public Properties:**

23-031-1/23 - The Helios Project – Champion Creek Multipurpose Trail

**Reports of Municipal Officers:**

**Dennis Hanwell, Mayor**, reported the following:

- A. The annual Martin Luther King, Jr. celebration was held this year on Monday, January 16, 2023 at 7 p.m. at Medina United Methodist Church at 4747 Foote Rd., Medina. Thanks to all who attended.
- B. Congratulations Economic Development Director, Kimberly Marshall on becoming Chairperson of the OH Public Works Commission in 2023. She has served on the Commission since 2018. Kimberly was also elected to the 2023 Ohio Economic Development Assoc. Board of Directors. She will be the Area Director for Northeast Ohio.
- C. January 5, 2023 Derek Crooks was promoted to Sergeant on MPD. He has worked at MPD since 2014 and been a 3 time recipient of the Safe Communities Award and was the 2021 recipient of the VFW #5137 Public Servant of the Year award. Congratulations Sgt. Crooks.
- D. The City of Medina holiday decorated Gazebo was the cover photo for the Ohio Municipal League Cities and Villages Nov./Dec. 2022 edition. Inside, the annual Candlelight parade and activities were captured in photos, along with historic buildings around the Square.

**Keith Dirham, Finance Director**, stated the City of Medina does have a municipal income tax, we contract with RITA. Please remember to file if you are a resident of the city.

**Matt Linier, Law Department**, had no report.

**Lt. Marcum, Police Department**, had no report.

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**Chief Walters, Fire Department**, had no report.

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

**Jansen Wehrley, Parks and Recreation Director**, provided events coming up at the Rec Center: Drop in Swim Time, hosting triathlon & biathlon – February 12<sup>th</sup>, Parents night out – February 17<sup>th</sup>. Check out [Medinarec.org](http://Medinarec.org)

**Dan Gladish, Building Official**, had no report.

**Nino Piccoli, Service Director**, reported his crews did a decent job with snow removal yesterday. With help from the Park's Department they had about 16 trucks out.

**Patrick Patton, City Engineer**, Open house was conducted for residents and businesses regarding the West Smith Road Project. This project started today and detours have been set up and we appreciate your cooperation.

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

**Notices, communications and petitions:**

There were none.

**Unfinished Business:**

There was none.

**Introduction of Visitors:**

There were none.

**Introduction and consideration of ordinances and resolutions.**

Motion to suspend the Rules requiring three readings on the following ordinances and resolutions: Ord. 14-23, Ord. 15-23, Ord. 16-23, Res. 17-23, Ord. 19-23, Ord. 20-23, Res. 21-23, Ord. 22-23, Ord. 23-23. Mr. Shields moved to not require three readings with tonight's ordinances and resolutions, seconded by Mr. Simpson. The roll was called and passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire and J. Hazeltine.

**Ord. 14-23**

**An Ordinance amending Sections 31.15 and 31.16 of the Salaries and Benefits Code of the City of Medina, Ohio relative to Group Healthcare and Travel and Education.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 014-23, seconded by Mr. Simpson. Mr. Dirham stated this is to bring the pay code into matching with the union contracts. The roll was called and Ordinance/Resolution No. 014-23 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb.

**Res. 15-23**

**A Resolution authorizing the Mayor to execute an Economic Development (TRES) Transfer**

**form from the Division of Liquor Control for the property located at 960 North Court Street, and declaring an emergency.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 015-23, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 015-23, seconded by Mr. Simpson. Mrs. Marshall stated this is for City Barbeque located at 960 North Court Street, they would like to transfer a D-1 liquor permit to the city from their location in Beaver Creek Ohio. City Barbeque has entered into a lease for this real estate formerly occupied by Dickie's Barbeque Pit. They plan to open March 2023. Emergency clause is needed because it takes an exorbitant amount of time to get these liquor permits issued and they are opening in March. 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. 015-23 passed by the yea votes of D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields.

**Ord. 16-23**

**An Ordinance repealing Ordinance No. 21-22, passed February 28, 2022 and Ordinance No. 29-22, passed February 28, 2022, relative to the Developer Agreement and the Job Creation Grant Agreement for Expert Crane, Inc.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 016-23, seconded by Mr. Simpson. Kimberly Marshall explained that the company has sent a formal letter stating due to unforeseen economic conditions that they will not be moving forward with their expansion project at this time. They did acquire the land and Kimberly is hopeful that when economic conditions improve for them they will come back and reapply. The roll was called and Ordinance/Resolution No. 016-23 passed by the yea votes of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson.

**Res. 17-23**

**A Resolution authorizing an application for grant assistance from the Ohio Department of Transportation – Office of Aviation for funding under the Ohio Airport Grant Program for the Airport Triggering Event Narrative Report and ALP Update at the Medina Municipal Airport, and declaring an emergency.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 017-23, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 017-23, seconded by Mr. Simpson. Mr. Patton stated the city was awarded a grant from the FAA to pay for 90% of the cost of this project. The total cost of this project is \$187,750.00. The grant will cover a little over \$168,000.00. We became aware in early December that ODOT has a 5% matching program and will pay another 5%, leaving the city responsible for the remainder 5%. The grant was due on December 31<sup>st</sup>, 2022 and we have submitted everything they needed but it is still pending this ordinance and that is why we are asking for the emergency clause. 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. 017-23 passed by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

**Ord. 18-23 (first reading)**

**An Ordinance rezoning a property located south of Lafayette Road and West of Industrial Parkway, Parcel Number 028-19C-17-041, from I-1, Industrial to R-3, High Density Urban Residential.** Mr. Shields moved that Ord. 18-23 be read for the first time this evening by title only

and put on the floor for discussion with no vote, seconded by Mr. Simpson. Mr. Dutton stated this is a land lock property with no access to any roadways south of Brookdale Mobile Home Park. The application is to change zoning from an I-1 Industrial to a R-3 High Density Urban Residential. The applicant has indicated their request is to expand the mobile home park to the south. They have provided a preliminary plan. They will have buffering installed, likely in the method of a fence providing some visual as well as some sound buffering. The Planning Commission has reviewed this zoning application and has recommended approval. A public hearing was held on January 9, 2023 before council with no opposition from public.

**Ord. 19-23**

**An Ordinance amending Section 133.01 of the codified ordinances of the City of Medina, Ohio relative to the Police Department Association Memberships, and declaring an emergency.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 019-23, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 019-23, seconded by Mr. Simpson. Lt. Marcum stated this will allow them to be members of the Association of Public Safety Communications Officials. It gives them a discount on training courses for dispatch and allows them to be a primary public safety answering point for wireless 911 calls. The emergency clause is requested because the memberships are needed for the 911 tower redirection project which they are currently involved with in the county. The roll was called on adding the emergency clause and was approved by the yea votes of J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and R. Haire. The roll was called and Ordinance/Resolution No. 019-23 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire and J. Hazeltine.

**Ord. 20-23**

**An Ordinance amending Section 2 of Ordinance No. 190-22, passed October 11, 2022, relative to bids for the City Railroad Improvements Project, and declaring an emergency.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 020-23, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 023-23, seconded by Mr. Simpson. Mr. Patton stated the original estimate for this project was \$411,000.00 and did not receive a bid within that budget amount. The lowest bid was just under \$457,000.00 so we took that to the Board of Control and they awarded it contingent upon two things. That this ordinance be modified and ORDC which is providing \$249,600.00 also approve the contractor plan. It has been a month since we opened the bid and would like to move forward and several months since the original ordinance was passed and that is why we need the emergency clause. 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. 020-23 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose.

**Res. 21-23**

**A Resolution authorizing the Mayor to file an application for grant assistance with the Ohio Department of Transportation (ODOT), Municipal Bridge Program for replacement of the Prospect Street and S. Huntington Bridges.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 021-23, seconded by Mr. Simpson. Mr. Patton stated this is a program



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ODOT started several years ago, they target certain bridges. They do our annual bridge inspection program and these two bridges are in such condition that they are eligible for this program. We would like to apply for funding to replace both of them. The roll was called and Ordinance/Resolution No. 021-23 passed by the yea votes of D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields.

**Ord. 22-23**

**An Ordinance amending Ordinance No. 221-22, passed December 12, 2022. (Amendments to 2023 Budget)** Mr. Shields moved for the adoption of Ordinance/Resolution No. 022-23, seconded by Mr. Simpson. Mr. Dirham stated these are both pass through type items, one is a donation and the other is a refund. The roll was called and Ordinance/Resolution No. 022-23 passed by the yea votes of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson.

**Ord. 23-23**

**An Ordinance authorizing the Finance Director to make certain fund transfers.**

Mr. Shields moved for the adoption of Ordinance/Resolution No. 023-23, seconded by Mr. Simpson. Mr. Dirham stated this is a transfer to the MCRC Capital Fund. It is called for by the Joint Operating Agreement that is the agreement between the city and the school under which we operate the Rec Center. We each make this contribution annually. The roll was called and Ordinance/Resolution No. 023-23 passed by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

**Council comments.**

Mr. Simpson thanked George and Angela for everything they have done this past year. Thanked the SPCA for all they do.

Props to Regi Haire on the fine job she did with her first Streets and Sidewalk meeting. Be kind to one another.

Mr. Rose attended the Community Alliance Project held at the library, which helps the West Side of Medina.

**Adjournment.**

There being no further business, the meeting adjourned at 7:59 p.m.

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Kathy Patton, Clerk of Council

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John M. Coyne, President of Council

**ORDINANCE NO. 18-23**

**AN ORDINANCE REZONING A PROPERTY LOCATED SOUTH OF LAFAYETTE ROAD AND WEST OF INDUSTRIAL PARKWAY, PARCEL NUMBER 028-19C-17-041, FROM I-1, INDUSTRIAL TO R-3, HIGH DENSITY URBAN RESIDENTIAL.**

**WHEREAS:** On November 10, 2022, the Planning Commission reviewed the application and voted unanimously to recommend approval of the Zoning Map Amendment; and

**WHEREAS:** The notice of public hearing by Medina City Council was duly published and the hearing was duly held January 9, 2023.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That the rezoning from I-1, Industrial to R-3, High Density Urban Residential of the property located south of Lafayette Road and West of Industrial Parkway in the Brookdale Mobile Home Park, Parcel Number 028-19C-17-041, is hereby authorized.

**SEC. 2:** That the City Engineer is hereby directed to amend the zoning map as necessary to correctly reflect this change in zoning.

**SEC. 3:** That a drawing with the description of the rezoning is marked Exhibit A, attached hereto and incorporated herein.

**SEC. 4:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 5:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

**President of Council**

**ATTEST:** \_\_\_\_\_

**APPROVED:** \_\_\_\_\_

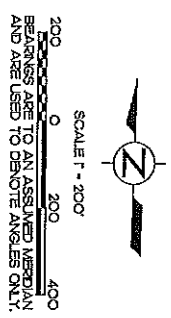
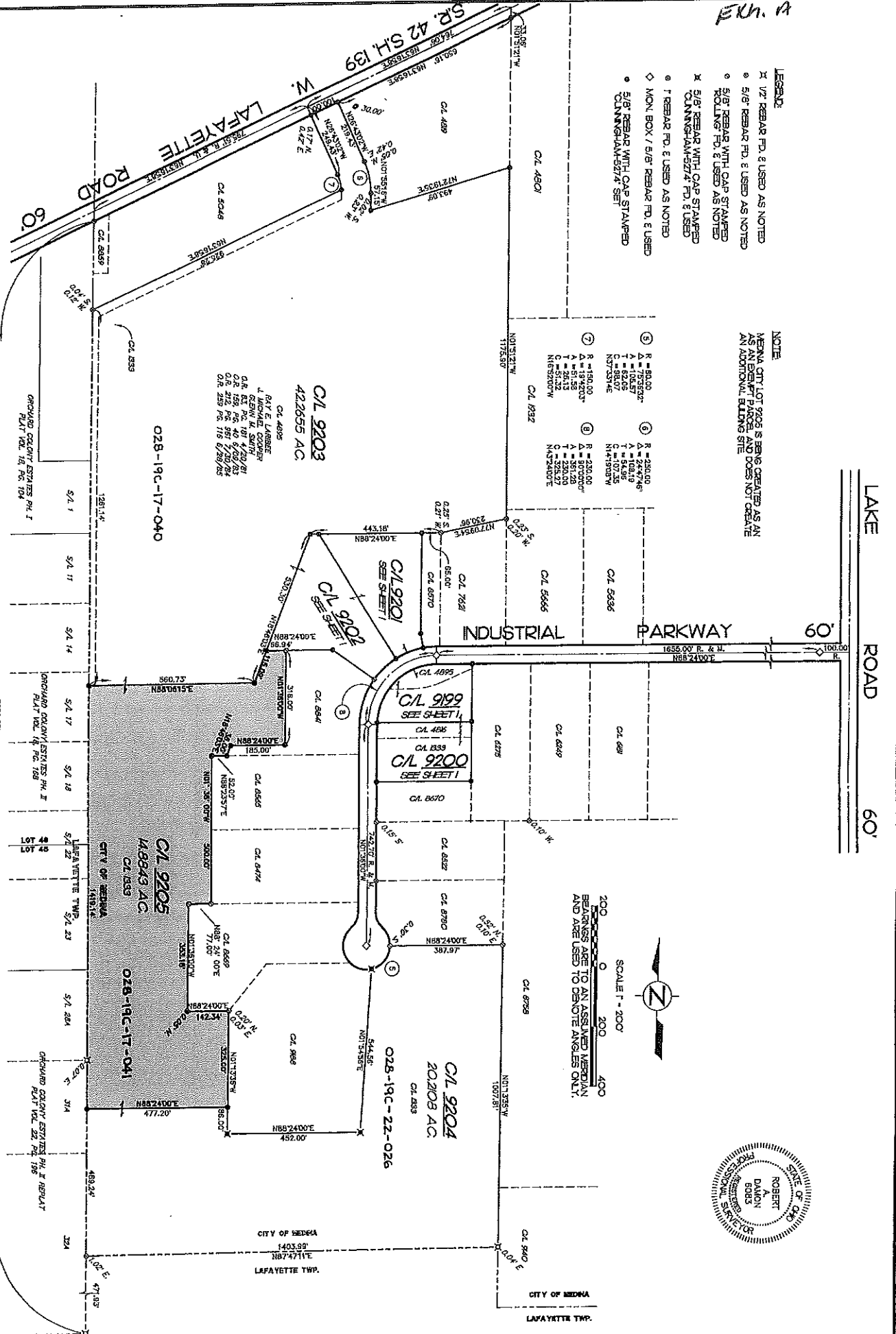
**Clerk of Council**

**SIGNED:** \_\_\_\_\_

**Mayor**

- LEGEND:**
- ✕ 1/2" REBAR PD. & USED AS NOTED
  - 5/8" REBAR PD. & USED AS NOTED
  - 6/8" REBAR WITH CAP STAMPED
  - 6/8" REBAR PD. & USED AS NOTED
  - ✕ 5/8" REBAR WITH CAP STAMPED
  - CLANNINGHAM-5274 PD. & USED
  - 1" REBAR PD. & USED AS NOTED
  - MON. BOX / 5/8" REBAR PD. & USED
  - 5/8" REBAR WITH CAP STAMPED
  - CLANNINGHAM-5274 SET

**NOTE:**  
 MENA CITY LOT 2205 IS BEING CREATED AS AN AS AN IMPROVED PLANNED UNIT DEVELOPMENT AS AN ADDITIONAL BUILDING SITE



**CLANNINGHAM & ASSOC. INC.**  
 CIVIL ENGINEERING & SURVEYING  
 203 W. LIBERTY ST., MENA, OH 44256  
 TELEPHONE (330) 725-5980  
 SHEET 2 OF 2 PROJECT NO. 17-57

2018P100011A

**ORDINANCE NO. 24-23**

**AN ORDINANCE AMENDING PART THREE, SECTIONS 301, 351 AND 353 OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO PERTAINING TO PUBLIC PARKING LOTS / GARAGES - PARKING REGULATIONS.**

**WHEREAS:** The City of Medina currently owns or controls seven public parking lots and two public garages in the downtown area; and

**WHEREAS:** Currently, the City’s ordinances do not address the regulation of these facilities.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That Part Three, Sections 301, 351 and 353 of the codified ordinances of the City of Medina, Ohio shall be amended to read as provided on the attachment, marked Exhibit A, attached hereto and incorporated herein.

**SEC. 2:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 3:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**

Effective date: March 15, 2023

ORD. 24-23  
EKH.A

CHAPTER 301  
Definitions

(301.01-301.19)

301.20 Motor vehicle.

301.201 *Municipal off-street parking facility.*

301.202 Operate.

301.21 Park or parking.

(301.22-304.53)

**301.201 MUNICIPAL OFF-STREET PARKING FACILITY.**

*"Municipal off-street parking facility" means any site or structure not located within a right of way that is owned, operated, or controlled by the City of Medina which is primarily utilized for the parking of vehicles.*

~~301.201~~ **301.202 OPERATE.**

"Operate" means to cause or have caused movement of a vehicle.

(ORC 4511.01(HHH))

-----FOR REFERENCE-----

**301.32 RIGHT OF WAY.**

"Right of way" means either of the following, as the context requires:

- (a) The right of a vehicle or pedestrian to proceed uninterruptedly in a lawful manner in the direction in which it or the individual is moving in preference to another vehicle or pedestrian approaching from a different direction into its or the individual's path;
- (b) A general term denoting land, property or the interest therein, usually in the configuration of a strip, acquired for or devoted to transportation purposes. When used in this context, right of way includes the roadway, shoulders or berm, ditch, and slopes extending to the right-of-way limits under the control of the State or local authority.(ORC 4511.01(UU))

**CHAPTER 351**  
**Parking Generally**

**(351.01-351.12)**

**351.13** Parking on posted private property.

**351.14** *Municipal off-street parking facilities.*

**351.15** *Municipal off-street parking facilities parking permits.*

**351.99** Penalty. (Repealed)

**351.14 MUNICIPAL OFF-STREET PARKING FACILITIES.**

- (a)** *In any municipal off-street parking facility, the City Engineer is authorized to designate by appropriate pavement markings, or such other method as he or she deems appropriate, entrances, exits, driveways, and parking spaces upon municipal off-street parking facilities; and to prescribe traffic patterns in any or all of such entrances, exits, or driveways as may be necessary to facilitate the flow of traffic into and through the parking facility; and appropriate signage for the enforcement thereof.*
- (b)** *The Mayor or his or her designee may restrict the time limit for parking in any municipal off-street parking facility. When any such restriction of time is posted at the parking facility by clearly visible signs, no person shall park a vehicle at the same location or in any other location within the same facility for a period of time in excess of the posted time limit.*
- (c)** *No person shall park a vehicle in any portion of a municipal off-street parking facility except entirely within a designated parking space.*
- (d)** *No person shall park a vehicle in any portion of a municipal off-street parking facility in such a manner as to obstruct the movement of the vehicles to or from any of the designated parking spaces.*
- (e)** *No person shall park any commercial tractor, semitrailer, trailer, or vehicle exceeding five tons in any portion of a municipal off-street parking facility.*
- (f)** *Municipal off-street parking facilities shall be subject to Section 351.04 - Parking Near Curb; Handicapped Locations of Public and Private Lots and Garages.*
- (g)** *A violation of any of the provisions of Section 351.14 shall be considered a parking infraction as defined in Section 353.01(e) and shall be subject to Chapter 353 – Civil Penalties for Parking Infractions.*

**351.15 MUNICIPAL OFF-STREET PARKING FACILITIES PARKING PERMITS.**

- (a)** *In connection with the designation of time limits described in Section 351.14(b), the Mayor or his or her designee may, with respect to a municipal off-street parking facility, make available City-issued parking permits.*
- (b)** *When such a City-issued parking permit is displayed on the permit holder's vehicle, such person may park his or her vehicle in any off-street municipal parking facility and shall not be deemed to be in violation of the restricted time limits.*
- (c)** *City-issued parking permits shall only be made available to individuals residing in the Historic District as defined in Section 145.06(b)(6) or individuals residing at a Historic Landmark as defined in Section 145.06(b)(7). City-issued parking permits shall not be made available to individuals staying at a hotel, motel, bed and breakfast, or other location with lodging for transient guests.*

- (d) *The Mayor or his designated representative may cause City-issued parking permits to be sold at a price of twenty dollars (\$20.00) for each one month period or two hundred dollars (\$200.00) for each one year period. Payment for City-issued parking permits shall be non-refundable after the permit is issued.*
- (e) *Applications for City-issued parking permits shall be submitted to the Community Development Director or his representative, who may issue a permit when the applicant has submitted documentation verifying residency in the Historic District or at a Historic Landmark, paid the applicable fee as specified in Section 351.15(d), and provided any other pertinent data as may be necessary.*

**CHAPTER 353**  
**Civil Penalties for Parking Infractions**

**353.01 DEFINITIONS.**

As used in this chapter:

- (e) "Parking infraction" means a violation of any of the provisions of Sections 351.01, 351.03, 351.04, 351.05, 351.06, 351.07, 351.08, 351.09, 351.10, 351.11, 351.12, 351.13, **351.14**, 353.02, 353.03 and 353.04 of these Codified Ordinances.

**353.99 PARKING INFRACTION FINES.**

- (a) Any person who has been accused of a violation of Section 351.03(a) through (c) and (e) through (q), 351.04(a) and (c), 351.05, 351.09, 351.10 ~~or~~, 351.11, **or 351.14** may settle and compromise the accusation by paying the sum of ten dollars (\$10.00) to the City within forty-eight hours from the time such offense is alleged to have been committed or by paying the sum of twenty-five dollars (\$25.00) to the City, after forty-eight hours from the time such offense is alleged to have been committed. Police officers are authorized to delay prosecution of the violation until forty-eight hours have passed.
- (b) Any person who has been accused of a violation of Sections 351.03, 351.04(a) and (c), 351.05, 351.09, 351.10 ~~or~~, 351.11, **or 351.14**, if the hearing officer determines, from a preponderance of evidence and testimony presented at the hearing, that the person committed the parking infraction, shall be fined not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00).

-----FOR REFERENCE-----

**145.06 RULES AND PROCEDURES.**

- (b) Definitions. The following definitions shall apply to the provisions of this chapter and the Historic Preservation Board Rules, Procedures, Design Guidelines, and Demolition Criteria:
  - (6) "Historic District" means a grouping of structures as determined by the Board and approved by Council as a historically or architecturally significant group and located within the limits of the City of Medina. Buildings or structures within this group may or may not be individually so designated. Listings of said structures will be kept for public record by the City Council and available through the Planning Department.

- (7) "Historic Landmark" means any individual building or structure determined by the Board and approved by Council as historically or architecturally significant and located within the limits of the City of Medina. Listings of said structures will be kept for public record by the City Council and available through the Planning Department.

**301.07 COMMERCIAL TRACTOR.**

"Commercial tractor" means every motor vehicle having motive power designed or used for drawing other vehicles and not so constructed as to carry any load thereon, or designed or used for drawing other vehicles while carrying a portion of such other vehicles, or the load thereon, or both. (ORC 4511.01(I))

**301.36 SEMITRAILER.**

"Semitrailer" means every vehicle designed or used for carrying persons or property with another and separate motor vehicle so that in operation a part of its own weight or that of its load, or both, rests upon and is carried by another vehicle. (ORC 4511.01(N))

**301.48 TRAILER.**

"Trailer" means every vehicle designed or used for carrying persons or property wholly on its own structure and for being drawn by a motor vehicle, including any such vehicle when formed by or operated as a combination of a semitrailer and a vehicle of the dolly type, such as that commonly known as a trailer dolly, a vehicle used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a street or highway at a speed greater than twenty-five miles per hour and a vehicle designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a street or highway for a distance of more than ten miles or at a speed of more than twenty-five miles per hour. (ORC 4511.01(M))

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**ORDINANCE NO. 25-23**

**AN ORDINANCE AMENDING SECTION 31.02 (B) (6) OF THE SALARIES AND BENEFITS CODE OF THE CITY OF MEDINA, OHIO RELATIVE TO THE MUNICIPAL COURT PROBATION GRANT POSITIONS, AND DECLARING AN EMERGENCY.**

**WHEREAS:** Section 31.02 (B) (6) of the Salaries and Benefits Code pertaining to the Municipal Court Grant Positions presently reads as follows:

<b>(6) MUNICIPAL COURT GRANT POSITIONS</b>		<u>Hourly Rate</u>
1	Intensive Supervision Probation Officer*	\$26.24/hr. \$26.89/hr. – July 1, 2021 \$27.56/hr. – January, 2022 \$28.32/hr. – January, 2023
1	Probation Officer/Group Facilitator**	\$26.24/hr. \$26.89/hr. – July 1, 2021 \$27.56/hr. – January, 2022 \$28.32/hr. – January, 2023

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That Section 31.02 (B) (6) of the Salaries and Benefits Code of the City of Medina, Ohio shall be amended in part to read as follows relative to the Municipal Court Grant Positions:

<b>(6) MUNICIPAL COURT GRANT POSITIONS</b>		<u>Hourly Rate</u>
1	Intensive Supervision Probation Officer*	<b>\$28.60/hr. – January 2023</b> <b>\$29.60/hr. – January 2024</b> <b>\$30.64/hr. – January 2025</b>
1	Probation Officer/Group Facilitator**	<b>\$28.60/hr. – January 2023</b> <b>\$29.60/hr. – January 2024</b> <b>\$30.64/hr. – January 2025</b>

**SEC. 2:** **That this Ordinance shall be effective as of January 1, 2023.**

**SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 4:** That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason the grant is currently in effect; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**

**ORDINANCE NO. 26-23**

**AN ORDINANCE AUTHORIZING THE PAYMENT OF \$30,000.00 TO MAIN STREET MEDINA FOR THE CITY'S 2023 MEMBERSHIP RENEWAL.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That the Director of Finance is hereby authorized and directed to pay Main Street Medina \$30,000.00 for the city's 2023 membership renewal.

**SEC. 2:** That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director's certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.

**SEC. 3:** That the funds to cover this expenditure are available in Account No. 001-0707-52215.

**SEC. 4:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 5:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

**President of Council**

**ATTEST:** \_\_\_\_\_

**APPROVED:** \_\_\_\_\_

**Clerk of Council**

**SIGNED:** \_\_\_\_\_

**Mayor**

**ORDINANCE NO. 27-23**

**AN ORDINANCE AUTHORIZING THE EXPENDITURE OF \$10,575.00 TO THE MEDINA COUNTY SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (SPCA) FOR ANIMAL RELATED SERVICES FOR THE YEAR 2023.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That the expenditure of \$10,575.00 to the Medina County Society for the Prevention of Cruelty to Animals (SPCA) is hereby authorized for animal related services.

**SEC. 2:** That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director's certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.

**SEC. 3:** That the funds to cover this payment are available in Account No. 001-0707-52215.

**SEC. 4:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 5:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**

**ORDINANCE NO. 28-23**

**AN ORDINANCE AUTHORIZING A WATER SERVICE CONNECTION AT 4599 ABBEYVILLE ROAD LOCATED IN YORK TOWNSHIP.**

**WHEREAS:** A request has been made by Robert R. Hinkle for a water service connection for his property located at 4599 Abbeyville Road located in York Township; and

**WHEREAS:** The Finance Committee has recommended the granting of this water service connection without annexation of the property as required in Section 917.02 of the codified ordinances of the City of Medina.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That authorization is hereby granted for one water service connection to the property located at 4599 Abbeyville Road, Parcel No. 045-05D-19-003, currently owned by Robert R. Hinkle in York Township.

**SEC. 2:** That the above referenced water service connection shall be subject to all requirements of Chapters 917 and 919 of the codified ordinances of the City of Medina, Ohio.

**SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 4:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**

Effective date –

**ORDINANCE NO. 29-23**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR COMPETITIVE BIDS AND TO AWARD A CONTRACT TO THE SUCCESSFUL BIDDER FOR A ONE YEAR SUPPLY OF THE VARIOUS KINDS OF MAINTENANCE MATERIALS NEEDED FOR THE STREETS AND WATER LINES, INCLUDING BUT NOT LIMITED TO SALT, THE CHEMICALS FOR USE IN THE TREATMENT OF WATER, AND WATER METERS TO BE USED BY VARIOUS DEPARTMENTS OF THE CITY OF MEDINA, OHIO.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That the Mayor is hereby authorized and directed to advertise for competitive bids and to award a contract to the successful bidder for a one-year supply of the various kinds of maintenance materials needed for the streets and water lines, including but not limited to salt, the chemicals for use in the treatment of water, and water meters to be used by various departments of the City of Medina, Ohio.

**SEC. 2:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 3:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**

**ORDINANCE NO. 30-23****AN ORDINANCE ADOPTING THE CITY OF MEDINA'S  
EQUAL EMPLOYMENT OPPORTUNITY POLICY.**

**WHEREAS:** The City of Medina has long observed a principal of recruiting, hiring, training, and promoting City of Medina employees without regard to race, color, religion, national origin, disability, age, ancestry, sex, sexual orientation, and gender identity, except where such factors constitute bona fide obstacles to expected job performance; and

**WHEREAS:** The City of Medina desires to adopt an Equal Employment Opportunity Policy that is consistent with the Federal and State law.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE  
CITY OF MEDINA, OHIO:**

**SEC. 1:** The City of Medina provides Equal Employment Opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, national origin, disability, age, ancestry, sex, sexual orientation, genetic information, gender identity, marital status, military status, status as a covered veteran, or any other protected classification in accordance with applicable Federal, State and local laws. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

**SEC. 2:** The City of Medina expressly prohibits any form of employee harassment based on race, color, religion, sex, national origin, age, disability, genetic information, marital status, military status, status as a covered veteran, or any other protected classification in accordance with applicable Federal, State and local laws.

**SEC. 3:** The City of Medina pledges itself to ensure that all activities relative to recruitment, hiring, and promotion are undertaken to affect the principal of Equal Employment Opportunity. Only bona fide occupational qualifications should be considered when administering personnel matters. All matters related to compensation, benefits, transfers, layoffs, recall from layoffs, and training will be free from any and all discriminatory practices.

**SEC. 4:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 5:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

**President of Council**

**ATTEST:** \_\_\_\_\_

**APPROVED:** \_\_\_\_\_

**Clerk of Council**

**SIGNED:** \_\_\_\_\_

**Mayor**



**ORDINANCE NO. 31-23**

**AN ORDINANCE AMENDING ORDINANCE NO. 221-22,  
PASSED DECEMBER 12, 2022. (Amendments to 2023 Budget)**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That Ordinance No. 221-22, passed December 12, 2022, shall be amended by the following additions:

<u>Account No./Line Item</u>	<u>Additions</u>
106-0101-53315 (Donation / Odd Fellows)	1,000.00 *
001-0705-53315 (Veteran's Treatment Court)	2,500.00 *
001-0704-52215 (Law Dept.)	15,000.00 *
001-0704-52225 (Law Dept.)	45,000.00 *
135-0130-52215 (EMS)	50,000.00 *
151-0101-53313	500.00 *
574-0650-53314 (Airport Fuel)	30,000.00 *

**SEC. 2:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 3:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

\* - new appropriation

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**

**ORDINANCE NO. 32-23**

**AN ORDINANCE AUTHORIZING THE INCREASE OF THE EXPENDITURE TO GOODYEAR TIRE AND RUBBER COMPANY FOR THE SANITATION DEPARTMENT.**

**WHEREAS:** The Service Director has requested to increase Purchase Order #23-816 from \$15,000 to \$45,000, which requires the Council’s approval; and

**NOW, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That the increase to Purchase Order #23-816 from \$15,000 to \$45,000 is hereby authorized for the Sanitation Department.

**SEC. 2:** That the funds to cover this expenditure are available in Account No. 514-0543-53321.

**SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 4:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**

**ORDINANCE NO. 33-23**

**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, AND DECLARING AN EMERGENCY.**

**WHEREAS:** Certain certifications are necessary for the continued operations of Municipal Services; and

**WHEREAS:** This Ordinance will provide for the efficient and lawful certifications to provide Municipal Services as required by Ohio Revised Code Section 5705.41(D); and

**NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director’s certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.

**SEC. 2:** That the Finance Director is authorized to draw warrants for the payment of Invoice #27269 and #27268 from Wintrow Construction for emergency repairs to the city railway.

**SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 4:** That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason because of the immediate need for the authorization of expenditures, this Resolution shall be in full force and effect immediately upon its passage and signature by the Mayor.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**

**ORDINANCE NO. 34-23**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR COMPETITIVE BIDS AND TO AWARD A CONTRACT TO THE SUCCESSFUL BIDDER FOR THE PURCHASE OF ONE (1) PAC MAC "RLM 13" SERIES TRUCK MOUNTED, 13 CUBIC YARD REAR LOADER PACKER BODY TO BE MOUNTED ON A FREIGHTLINER M2 106 CONVENTIONAL CAB AND CHASSIS FOR THE SANITATION DEPARTMENT.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That the Mayor is hereby authorized and directed to advertise for competitive bids and to award a contract to the successful bidder for the purchase of one (1) Pac Mac "RLM 13" series truck mounted, 13 cubic yard rear loader packer body to be mounted on a Freightliner M2 106 Conventional Cab and Chassis and delivered to the City of Medina complete, for the Sanitation Department in accordance with specifications on file in the office of the Mayor.

**SEC. 2:** That the estimated cost of the contract, in the amount of \$196,370.00, is available in Account No. 514-0543-54417.

**SEC. 3:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**

**ORDINANCE NO. 35-23**

**AN ORDINANCE AUTHORIZING THE PAYMENT TO DUNLOP & JOHNSTON, INC. FOR WORK PERFORMED AT THE MEDINA COUNTY BATTERED WOMEN'S SHELTER AS PART OF THE CDBG-TARGET OF OPPORTUNITY GRANT.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That the payment of \$141,000.00 is hereby authorized to Dunlop & Johnston, Inc. for work performed at the Medina County Battered Women's Shelter as part of the CDBG-Target of Opportunity Grant.

**SEC. 2:** That the funds to cover this payment, in the amount of \$141,000.00, are available in Account No. 125-0451-55212, AD-20-03.

**SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 4:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**

**ORDINANCE NO. 36-23**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR COMPETITIVE BIDS AND TO AWARD A CONTRACT TO THE SUCCESSFUL BIDDER FOR THE CONSTRUCTION OF A FITNESS ROOM ADDITION AT THE MEDINA COMMUNITY RECREATION CENTER.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That the Mayor is hereby authorized and directed to advertise for competitive bids and to award a contract to the successful bidder for the construction of a Fitness Room Addition at the Medina Community Recreation Center (Job #1055), in accordance with plans and specifications on file in the office of the Mayor.

**SEC. 2:** That the estimated cost of the project, in the amount of \$770,000.00, is available as follows: \$420,000.00 in Account No. 574-0350-54412 and \$350,000.00 in Account No. 110-0316-54412.

**SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 4:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

**President of Council**

**ATTEST:** \_\_\_\_\_

**APPROVED:** \_\_\_\_\_

**Clerk of Council**

**SIGNED:** \_\_\_\_\_

**Mayor**

**RESOLUTION NO. 37-23**

**A RESOLUTION SUPPORTING PHASE ONE OF THE FRIENDS OF THE CEMETERY'S SPRING GROVE CEMETERY ENTRY GATE AND MAUSOLEUM REPAIR PROJECT.**

**WHEREAS:** The Friends of the Cemetery (the "Friends"), an Ohio not for profit corporation, is interested in the preservation and enhancement of Spring Grove Cemetery; and

**WHEREAS:** The Friends have determined the need to repair the Entry Gate and Mausoleum at Spring Grove Cemetery as identified in the Spring Grove Master Plan in 2018, approved by City Council per Resolution No. 79-18, passed May 14, 2018; and

**WHEREAS:** The anticipated project gift for design and construction administration is \$14,275.00; and

**WHEREAS:** The Friends request approval of their intent to hire Perspectus Architecture of Cleveland, Ohio to perform on-site observations to document work required to repair the Entry Gate and Mausoleum at Spring Grove Cemetery; and

**WHEREAS:** The Friends desire that the City of Medina review and approve the project and accept the completed work as a gift from the Friends; and

**WHEREAS:** The Cemetery Commission and the Finance Committee have reviewed the proposal and have recommended the support and acceptance of this gift from the Friends.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That the City of Medina hereby supports the Friends of the Cemetery's gift to the City to complete Phase One of the Spring Grove Cemetery Entry Gate and Mausoleum Repair Project.

**SEC. 2:** That the Mayor is hereby authorized to accept and sign the Letter of Intent marked Exhibit A, attached hereto, and incorporated herein.

**SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 4:** That this Resolution shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_

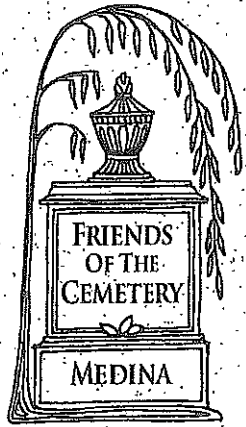
**SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**





Res. 37-32  
Exh. A

January 12, 2023

775 East Washington St.  
Medina, Ohio 44256  
www.FriendsOfMedinaCemetery.org  
Phone: 330.725.8861 Ext. 1055  
info@friendsofmedinacemetery.org

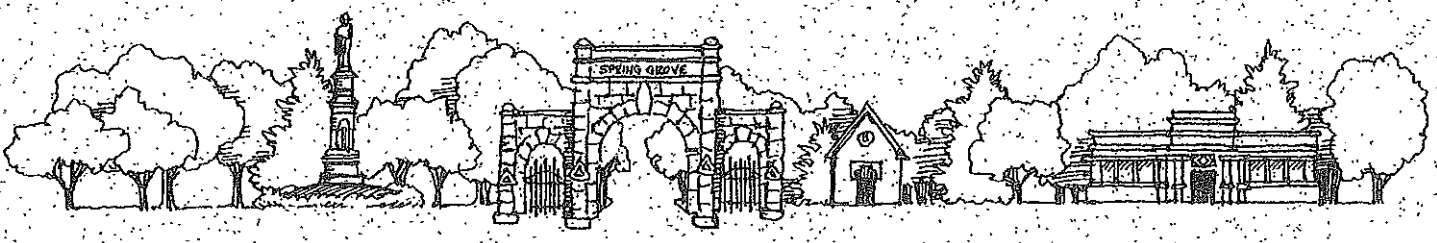
City of Medina  
132 North Elmwood Street  
Medina, OH 44256

Mayor Hanwell, Council President John Coyne & members of City Council:

The Friends of the Cemetery hereby submits a letter of intent to provide funding to repair the historic Entry Gate and Mausoleum at Spring Grove Cemetery, as detailed in the November 26, 2019 Spring Grove Cemetery Preventative Maintenance Evaluation Prioritization Plan. This project will be done in two Phases:

Phase One: The Friends intend to hire Perspectus Architecture of Cleveland, Ohio to perform on-site observations to document work required to repair the Entry Gate and Mausoleum at Spring Grove Cemetery. The scope of work to be performed by Perspectus Architecture in Phase One includes field work, preparation of contract documents, including construction drawings and technical specifications.

Phase Two: Once the repair items have been identified by said on-site observations performed by Perspectus Architecture in Phase One, it is the Friends intent to fund those necessary repairs to the Entry Gate and Mausoleum, which will include Perspectus Architecture's assistance in the bidding process, as well as construction administration.



The Friends of the Cemetery and Perspectus Architecture will work hand in hand on this project with the City's Service Director, Director of Parks and Recreation, and City Engineer as we have on many successful capital projects over the past 25 years. We look forward to moving ahead with this project in accordance with our mission of historic preservation, beautification and maintenance of Spring Grove Cemetery and Old Town Graveyard.

Sincerely,



Teresa A. Merkle, President

Acknowledged and agreed:

City of Medina

By \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_

**ORDINANCE NO. 38-23**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR COMPETITIVE BIDS AND TO AWARD A CONTRACT TO THE SUCCESSFUL BIDDER FOR THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS (SCBA) FOR THE FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

- SEC. 1:** That the Mayor is hereby authorized and directed to advertise for competitive bids and to award a contract to the successful bidder for the purchase of Self-Contained Breathing Apparatus (SCBA) for the Fire Department, in accordance with plans and specifications on file in the office of the Mayor.
- SEC. 2:** That the estimated cost of the purchase, in the estimated amount of \$450,000.00, is available utilizing ARPA funds in Account No. 171-0110-54413.
- SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 4:** That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason current SCBA's no longer meet the current safety requirements of NFPA; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

**President of Council**

**ATTEST:** \_\_\_\_\_

**APPROVED:** \_\_\_\_\_

**Clerk of Council**

**SIGNED:** \_\_\_\_\_

**Mayor**