# FINANCE COMMITTEE AGENDA April 9, 2024 (TUESDAY) Council Rotunda

## Finance Committee (6:00 p.m.)

- 1. Assignment of Requests for Council Action
- 2. 24-030-2/12 Amend Code 941.06(B) Sanitation Rates
- 3. 24-082-4/9 Budget Amendments
  - a. #2024-020 Probation Dept. office supplies
  - b. #2024-021 Probation Dept.
- 4. 24-083-4/9 OneOhio Funding to Medina County ADAMH Board
- 5. 24-084-4/9 Rescind Ord. 117-23 MOU w/Uptown Thirteen Five, LLC
- 6. 24-085-4/9 Resolution to Approve/Disapprove County 9-1-1 Plan
- 7. 24-086-4/9 Expenditure to Chippewa Roofing Fire Station #1
- 8. 24-087-4/9 Purchase 2024 Freightliner Roll-Off Truck Sanitation
- 9. 24-088-4/9 Consultant Selection Medina Municipal Airport
- 10. 24-089-4/9 Amend S&B Code 31.05 Probation Department

# **REQUESTS FOR COUNCIL ACTION/DISCUSSION**

## **Finance Committee**

24-082-4/9 – Budget Amendments
24-083-4/9 – OneOhio Funding to Medina County ADAMH Board
24-084-4/9 – Rescind Ord. 117-23 - City/Uptown Thirteen Five LLC – MOU
24-085-4/9 – Resolution to Approve/Disapprove County 9-1-1 Plan
24-086-4/9 – Expenditure to Chippewa Roofing – Fire Station #1 Roof
24-087-4/9 – Purchase 2024 Freightliner 114SD Plus Roll-Off Truck – Sanitation
24-088-4/9 – Consultant Selection – Medina Municipal Airport
24-089-4/9 – Amend S&B Code – Probation Department

REQUEST FOR COU	NOIL VOLION

No. RCA 24-630-2/12

FROM:

Keith H. Dirham

DATE:

Thursday, February 1, 2024

SUBJECT:

Sanitation Rates Amend Cod. ord. 941.06(B)
Residential

## **SUMMARY AND BACKGROUND:**

Estimated Cost: n/a Suggested Funding:

- sufficient funds in Account No.
- transfer needed from Account No.

to Account No.

• NEW APPROPRIATION needed in Account No.

Emergency Clause Requested:/No/

Reason:

\* Schedule Utility Rate Review Mtg (Held on 3/26/24)

When preparing carry-forward appropriations for 2023->2024 it was not permissible to reappropriate unspent funds from 2023 in 2024 in the Sanitation Fund (#514) due to the cash balance in the Sanitation Fund being insufficient to support such appropriations.

The Finance and Service Departments have held off on asking for any increases in Sanitation rates for some time due to uncertainty over the status of the CPF. At this time, those rates need to be reviewed by Council. The fund has operated at a deficit in three of the past four years with the net deficit over the past four years being nearly \$900,000 (see next page).

The Sanitation Fund (#514) had a balance in excess of \$1.1 Million at the end of 2023 so the situation is not urgent but that balance is down from a balance of around \$2 Million maintained from about 2018-2022.

The Sanitation Fund (#514) is an Enterprise Fund which means that the operations are selfsupporting. Nearly all of the revenue in the fund comes from charges for trash collection. A breakdown of the Expenditures over the past five years is included on the following pages.

The current monthly rate for residential trash pick-up is \$16. It was raised from \$14 on October 1, 2014. The rate was \$12 approximately 20 years ago and \$10 approximately 30 years ago.

Informally asking around here at City Hall, those employees who live outside the City but within the County are all paying more and getting less. They are paying \$17-22 per month or more for limited pick-up instead of the \$16 per month for unlimited pick-up as the City currently charges. I have limited these comparisons to people within the County because trash from outside of Medina County is not sent to the CPF.

In the past the Utility Rate Review Commission has reviewed this rate so if Council wishes to utilize their services again, this can be sent to them for a recommendation.

COUNCIL USE ONLY:

3-26-24 URR Commission ofty.

Committee Action/Recommendation:

Council Action Taken:

Ord./Res. Date:

## **Kathy Patton**

RCA 24.030-2/12

From:

**Sherry Crow** 

Sent:

Thursday, March 28, 2024 11:58 AM

To:

Kathy Patton

Subject:

Utility Rate Review Minutes - 3/26/24

Attachments:

3-26-24 Minutes with attachment.pdf

Hi Kathy,

Attached are minutes from Utility Rate Review Commission meeting on March 26, 2024. The Commission did recommend an increase in residential and some commercial rates. Keith asked that I forward these to you so you could send them on to Council. He doesn't think he would need another RCA to bring this issue to Council, since he sent one back on 2-1-24. But if he needs another RCA, please let him know.

Thanks,

Sherry Crow

Administrative Office Manager/Mayor's Office City of Medina 330-722-9020

#### 1. Call to order

- 2. Attendance: Commission Members Jim Monhollen, Rick Kirby and Christopher Gates. Also, Chet Simmons, Finance Director Keith Dirham, Mayor Dennis Hanwell, Service Director Nino Piccoli, Council member Dennie Simpson, Sanitation Superintendent John Lengacher and Sanitation Foreman Jarrod Joyce.
- 3. After much discussion, the Utility Rate Review Commission moved to recommend to Council that the City increase the rates for residential trash collection from \$16/month to \$20/month, effective 7/1/24. Sanitation fund will be re-evaluated each year to determine if additional revenue is needed. We could potentially increase by \$1/month, for each of the next four years, if necessary. Also recommend Chapter 941 of the City Code will be modified according to the attached document - note that changes are highlighted in yellow.

a. Motion: Christopher Gates

b. Second: Rick Kirby

c. Vote: 3-0

Discussion: John Lengacher presented documents showing estimated Sanitation Department costs and revenue with various changes in residential rates for 2025 - 2029. Keith Dirham also provided various documents showing actual and projected surpluses/deficits in the Sanitation fund from 2010 through 2029. The last year of a surplus was 2021. If we don't increase rates, deficits will continue to increase. Keith estimates that for every \$1/month increase in residential rates, around \$100,000 is generated. We are currently running a deficit of about \$300,000 per year.

The last residential rate increase was in 2014, from \$14 to the current \$16 monthly rate. Maintenance costs, fuel costs, tipping fees and labor costs have all increased over the last few years. Even with an increase in rates, we will still be lower than rates for many other entities within the county. Also, we don't charge residents extra to pick up yard waste or cardboard, even though this is time consuming for our staff.

4. There was some discussion of our Fleet Replacement Plan. We monitor the vehicles carefully and if a truck is costing more that it's worth to repair, we will replace. Also, there was discussion about the need to create a full-time Sanitation Clerk. We currently have several parttime clerks filling this role but this can lead to some items "falling through the cracks" without one full-time person. In the past, this was a full-time position. This can be considered in the budget discussions for budgets starting 1/1/2025.

There being no further business, the meeting was adjourned at 6:20 p.m.

## 941.01 DEFINITIONS AND INCINERATOR SPECIFICATIONS.

- (a) As used in this chapter:
- (1) "Garbage" means that accumulation of animal, vegetable and other matter that results from the preparation, consumption, decay or storage of meats, fish, fowl, fruits, vegetables and all other food substances or other organic matter subject to rapid bacterial action and decay.
- (2) "Rubbish" means that accumulation of material, such as paper, cardboard, rags, straw, felt, leather, wearing apparel, packing material, sweepings, small pieces of wood, crockery, glassware, ashes, tin, small metal objects and other refuse, dirt or other nonorganic matter which can be reduced in size so that it can be transported in and by vehicles that are provided by the City for that purpose.
- (3) "Dwelling unit" means any separate and self-contained place of human habitation occupied or intended for occupancy by one or more persons, including, without limiting the generality of the foregoing, each separate and self-contained place of habitation in two-family residences, multiple-family residences, apartment buildings and those flats and apartments maintained incidentally but separately in nonresidential buildings.
  - (4) "Contract rubbish hauler" and "salvage dealer" means those licensed by the City.
- (5) "Ordinary collection " means any residential or nonresidential rubbish and/or garbage collected on the regularly scheduled day in accordance with guidelines established by the Director of Public Service.
- (6) "Properly prepared residential garbage and/or rubbish" means all residential waste materials according to the provisions of this chapter.
- (7) "Properly prepared rubbish and/or garbage" means all that is contained within the closed lid of an approved sanitation collection container. All additional rubbish and/or garbage around the container is subject to additional charges.
- (8) "Sanitation truck hopper" means the rear of the sanitation truck where garbage and/or rubbish is loaded for compaction and transport with a volume of 4 yards capacity in uncompacted loose form.
- (9) "Special pick-up" means any residential rubbish and/or garbage collected other than the normal scheduled collection day.
- (10) "Hand pick-up" means any rubbish or garbage that is picked up by hand, and loaded into a Sanitation truck or container.
  - (b) The following specifications are prescribed for garbage incinerators. A garbage incinerator shall:
- (1) Be of a type tested, approved and listed by the American Gas Association in their current Directory of Approved Gas Appliances and Listed Accessories and shall be installed in accordance with the provisions of the National Building Code, current edition or other current standards of the American Insurance Association. If activated electrically, it shall be approved by and bear evidence of Underwriters' Laboratories, Incorporated approval.

- (2) Operate so as to completely consume wet or dry garbage by burning it to ash without causing noise, offensive or noxious odors, vapors or gases, and without the discharge or emission into the atmosphere of sparks, ash or the powdered residue of the substance which has been burned.
  - (3) Comply with Ohio and United States Environmental Protection Agency regulations.

(Ord. 105-22. Passed 5-23-22.)

#### 941.02 STORAGE OF GARBAGE; CONTAINERS.

(a) Every owner, tenant, lessee or occupant of any single-family residence, two family residence, multifamily residence, flat, apartment, hotel, restaurant, eating place, boarding house, store, school, church or any other dwelling unit, industry or place of business premises where garbage is or may be accumulated or produced, shall provide on the premises or within twenty-five feet therefrom, suitable and sufficient receptacles that meet the requirements of this chapter, without the escape of odors, containing all garbage that accumulates on such premises between the regular garbage collection dates. Any and all such garbage produced or accumulated by such owner, tenant, lessee or occupant shall be stored by him in such receptacles during the interim between regular garbage collection dates. Such receptacles shall be so placed that they are readily accessible for removal and emptying of the garbage therefrom by the collectors at the front line of the premises for each scheduled collection, and at all other times where they will not be a public nuisance or in any degree offensive.

When the placing of such receptacles at the front line of a premises causes a public nuisance or otherwise causes undesirable health problems or hazards, the Director of Public Service may advise the owner, tenant, lessee or occupant that scheduled collection will be made at or from other designated parts of the premises.

- (b) All garbage, as defined in Section (24.0% (a)(1), shall be drained of free water before it is placed in the can or receptacle.
- (c) If suitable and sufficient containers of a size larger than one cubic yard are not provided, nonresidential and residential garbage and rubbish shall be placed in a plastic bag, securely tied, be of a minimum 1.5 mil thickness and not exceed thirty-five pounds or thirty gallons when filled. Suitable and sufficient metal and/or plastic containers may be used to store properly prepared garbage and/or rubbish and shall have two handles, a tight fitting lid and not exceed forty gallons in volume or thirty-five pounds in weight.
- (d) Garbage may be reduced by finely grinding or shredding and flushing with water into the sanitary sewer system of the City, or by burning it at any time within properly constructed incinerators within buildings. Unless otherwise specifically provided for herein, the incineration of garbage, or the flushing of the same into the sanitary sewer system shall not excuse the owner, tenant, lessee or occupant from the collection charges provided for hereinafter.

- (e) No person shall bury garbage within the corporation limits of the City, except while composting pursuant of the law.
- (f) No person shall throw or deposit garbage upon any public or private property within the corporate limits of the City, except while composting pursuant to the law.
- (g) No person shall permit rats or mice or other animals to live in or feed upon garbage.
- (h) No person other than City employees, shall collect or haul garbage within the corporate limits of the City.

(Ord. 105-22. Passed 5-23-22.)

### 941.03 STORAGE OF RUBBISH; CONTAINERS.

- (a) Every owner, tenant, lessee or occupant of any two-family residence, flat, apartment, hotel, motel, restaurant, eating place, boardinghouse, store, school, church, industry or place of business or any other premises where rubbish is produced shall provide on such premises therefrom suitable and sufficient metal containers for receiving and holding between collections all garbage and rubbish that accumulates on such premises. The containers shall be placed at the front line of the premises in time for the scheduled collection. All rubbish produced or accumulated by such owner, tenant, lessee or occupant shall be stored in such containers.
- (b) Whenever the placing of containers at the front line of premises causes a public nuisance or otherwise causes undesirable health problems or hazards, the Director of Public Service may advise the owner, tenant, lessee or occupant that scheduled collections will be made at or from other designated parts of the premises.
- (c) If suitable and sufficient containers of a size larger than one cubic yard are not provided, nonresidential and residential garbage and rubbish shall be placed in a plastic bag, securely tied, be of a minimum 1.5 mil thickness and shall not exceed thirty-five pounds or thirty gallons when filled. Suitable and sufficient metal and/or plastic containers may be used to store properly prepared garbage and/or rubbish and shall have two handles, a tight fitting lid and not exceed forty gallons in volume or thirty-five pounds in weight.
- (d) Unless otherwise specifically provided for herein, the incineration of rubbish or use of contract rubbish haulers shall not excuse the owner, tenant, lessee or occupant from the collection charges provided for hereinafter to be defined as the minimum monthly charge.

(e) No person shall throw or deposit any rubbish upon any public or private property within the corporate limits of the City unless in compliance with the procedures described in this chapter.

(Ord. 105-22, Passed 5-23-22,)

#### 941.04 COLLECTION DISTRICTS.

For the purpose of the collection of garbage and/or rubbish, as defined in Section (1964), the Director of Public Service shall divide the City into as many districts as he deems necessary for the convenient collection thereof and he shall fix a day or days in each week on which garbage and/or rubbish will be collected by the City. The Director may arrange for collections of garbage and/or rubbish more often than once each week, if in his opinion and experience, such special collections are deemed proper for the maintenance of health and sanitation.

(Ord. 105-22. Passed 5-23-22.)

## 941.05 LICENSING OF COLLECTORS; FEE; REGULATIONS.

(a) Rubbish or industrial waste may be collected within the City in loose form or in containers of not less than eight cubic yards in size or in stationary compactors, by any person, firm or corporation after first obtaining a license from the Director of Public Service.

The license fee shall be three hundred dollars (\$300.00) per year and shall permit such person, firm or corporation to collect rubbish and industrial waste from a list that shall be submitted by the person, firm or corporation prior to the fifth day of each month. This list shall include the name and address of any person, firm or corporation by which the licensed hauler or dealer is employed.

(b) The Director shall inspect the equipment of all contract rubbish haulers and salvage dealers at intervals not to exceed six months, and shall suspend or revoke any license that has been issued when the contract rubbish hauler or salvage dealer is using equipment that is unsightly, inadequate to prevent the presence of rodents or vermin, or is inadequate to prevent rubbish, waste or salvage from being scattered on the streets or elsewhere in the City.

The Director may suspend or revoke the license of any person, firm or corporation who fails to submit the monthly report of his employers or who otherwise fails to comply with the provisions of this section.

(Ord. 105-22. Passed 5-23-22.)

## 941.06 COLLECTION RATES.

- (a) <u>Nonresidential and Residential with Containers.</u> The City shall charge each school, church, industry, commercial establishment, place of business or other nonresidential building, or multifamily dwelling of four units or more that has assigned approved container collection of one cubic yard or larger on the basis and at the rate as follows:
  - (1) Container charges (monthly).

Number of Pick-ups per Week (\$5.50 per cubic yard) The amount billed per container, per month shall be at the rate of \$5.50 per cubic yard, per 4 weeks for all containers 4 cubic yards and more. All Containers 3 cubic yards and smaller shall be charged at a rate of \$7.00 per cubic yard per 4 weeks.

Volume	1	2	3	4	5	6
1 cubic yard	\$22.00	\$44.00	\$66.00	\$88.00	\$110.00	\$132.00
2 cubic yards	44.00	88.00	132.00	176.00	220.00	264.00
3 cubic yards	66.00	132.00	198.00	264.00	330.00	396.00
1 cubic yards	88.00	176.00	264.00	352.00	440.00	528.00
5 cubic yards	110.00	220.00	330.00	440.00	550.00	660.00
5 cubic yards	132.00	264.00	396.00	528.00	660.00	792.00
7 cubic yards	154.00	308.00	462.00	616.00	770.00	924.00
B cubic yards	176.00	352.00	528.00	704.00	880.00	1056.00

Volume	1	2	3	4	5	6
1 cubic yard	\$28.00	\$56.00	\$84.00	\$112.00	\$140.00	\$168.00
2 cubic yards	56.00	112.00	168.00	224.00	280.00	330.00
3 cubic yards	84.00	168.00	252.00	336.00	420.00	504.00
4 cubic yards	88.00	176.00	264.00	352.00	440.00	528.00
5 cubic yards	110.00	220.00	330.00	440.00	550.00	660.00
6 cubic yards	132.00	264.00	396.00	528.00	660.00	792.00
7 cubic yards	154.00	308.00	462.00	616.00	770.00	924.00
3 cubic yards	176.00	352.00	528.00	704.00	880.00	1056.00

Containers of a size not specified shall be charged at a rate prorated in the manner prescribed above.

- (2) Additional hourly charges shall be assessed to customers for failure to provide City workers reasonable access to rubbish or garbage to be collected or in any other way impeding the process of efficient collection. Time shall be assessed at a rate of one hundred dollars (\$100.00) 4X the current hourly MEO pay rate, rounded to the nearest dollar, per hour.
- (3) All container deliveries and container changes are subject to a fee of 1X the current hourly MEO pay rate, rounded to the nearest dollar.

(4) Cardboard collection shall be charged at one half (1/2) of the trash/rubbish rate.

## (b) Residential and Nonresidential Without Container Collection.

- (1) A minimum monthly pick-up charge of sixteen dollars (\$16.00) per dwelling unit as defined by Section (\$16.01) shall apply to all multifamily residential accounts of three units or less and to all nonresidential accounts that are not serviced by an approved collection container of one cubic yard or more. Multi-family residential accounts of four units or larger have the option of installing an approved collection container according to the plans and specifications on file from the Director of Service. All accounts that are serviced by an approved collection container of one cubic yard or larger shall be billed according to the container charges as defined in subsection (a)(1) hereof.
- (2) Any residential special pick-up defined as a collection requested other than the regularly scheduled day shall have an additional ten dollars (\$10.00) charge.
- (3) Unless otherwise specified in subsection (a)(1) hereof, the City shall charge each single-family residential and multifamily residential dwelling unit of three units or less sixteen dollars (\$16.00) per month for the pick-up of all garbage and normal household rubbish which is properly prepared as described in Section (a).

## (c) Other Charges (Nonresidential and Residential).

(1) A. For the producers of nonresidential or residential multi-family units of three or less, garbage and/or rubbish other than defined or as described in subsections (a) and (b) hereof requiring hand pick-up by the City Sanitation Department, a charge of five-dollars and fifty-cents (\$5.50) seven (\$7.00) per cubic yard shall be assessed. Not properly prepared garbage and/or rubbish for residential units of three or less shall be charged at a rate of five-dollars and fifty-cents (\$5.50) seven (\$7.00) per cubic yard. Cubic yardage shall be determined by sanitation truck hopper loads. There shall be a minimum charge of one cubic yard. For producers of garbage and/or rubbish in quantities larger than twenty-eight uncompacted cubic yards per pick-up, a partial truck load rate shall apply as follows:

Descrip	Description (Panels) Volume Compacted (Cubic Yards) Flat Rate					
1	7.5	<del>\$165.00</del> -\$200.00				
2	15	<del>330.00</del> \$400.00				
3	22.5	<del>495.00</del> \$600.00				

Additional charges may be assessed if access to loading or other delays cause undue time to be expended in the collection prices as defined by subsection (a)(2) hereof.

## B. 1. Roll off container rate schedule:

(Pull rates shall be set based upon location of required disposal site regardless of the number of pulls per week.)

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$150.00 - $125.00 Medina Paper Recycling (20-30 minute round-trip)

$150.00 - $225.00 Medina County Central Processing Facility (45-60 60-90 minute round-trip)

$175.00 - $225.00 Zollinger sand and gravel (75-90 minutes round- trip)

$200.00 - $325.00 Rumpke Transfer Station - Broadview Heights (105-120 minute round- trip)

$200.00 - $325.00 Strongsville Transfer Station (105-120 minute round-trip)

$150.00 - Liverpool Waste Water Treatment Plant Digester (45-60 Minute round-trip)

$150.00 - $225.00 Country View Auto Recycling - Spencer (45-60 60 -90 minutes round-trip)

$275.00 - $450.00 Congress Lake Farms - Mogador (150-180 minutes round-trip)
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Accounts needing special consideration shall be set by the Board of Control. (Special consideration could be special handling, disposal site at a location further away, etc.)

\$450.00 -- Rumpke, Noble Rd. Landfill -- Shiloh (150-180 Minutes round-trip)

- 2. Roll off container rental rate schedule: Accounts needing special consideration, such as special handling, disposal site at location further away, etc. shall be set by the Board of Control on the request of the Service Director. At no time shall the recommended rate be less than the cost of service.
- 3. All temporary, residential and non-permanent commercial roll off customers shall be subject to a seventy-five dollars (\$75.00) additional pull charge fee per container pulled.
- 3. All temporary, residential, non-permanent commercial and compactor style roll off customers shall be subject to a seventy-five dollars (\$75.00) additional pull charge fee per container pulled.
- (2) A. For multifamily residential accounts of four units or larger, the collection of special rubbish items including refrigerators, washers, dryers, stoves, hot water heaters, trash compactors, furnaces, couches, chairs, mattresses, box springs or other similar rubbish items shall be charged at the rate of five dollars and fifty cents (\$5.50) seven (\$7.00) per cubic yard. Charges shall be levied according to the volume when placed in the truck hopper. A one-yard minimum charge shall apply to all special pick-up rubbish.
- B. In observance of "Earth Week", local civic groups who register with the Service Director may have the materials they collect to help clean up the environment collected by the City at no charge during the month of April.
- (3) A. Long term container rental schedule: The City shall charge each customer that specifically contracts with the City for the long term rental (in excess of two weeks) of a sanitation collection container the rental rate set forth below. Charges for partial monthly usage shall be prorated after rounding forward to the end of a service week. Customers who contract for use of a sanitation collection

container for two weeks or less shall be charged in accordance with the schedule set forth in subsection (c)(3) hereof. Containers are available to qualified accounts based on availability. Long term rental customers shall be charged for collection according to the schedule set forth in subsection (a)(1) hereof. There shall be no minimum charge or maximum rental time for long term customers, however, the City reserves the right to withdraw any container at its discretion.

Rear Load Containers Volume (Cubic Yards) Monthly Rental

1-8 \$ 10.00

Front Load Containers Volume (Cubic Yards) Monthly Rental

1-8 \$ 10.00

- (4) Claims by the City or users of the service for reclassification shall be reviewed by the Board of Control. Copies of their conclusions shall be on file for review.
- (5) Grass clippings shall not be mixed with normal household rubbish or garbage. Yard waste shall be separated from normal household rubbish and placed in approved metal or solid plastic containers not to exceed forty gallons in size or thirty-five pounds in weight. Containers shall have a secure handle(s) and solid bases. Yard waste may not be placed in paper boxes or paper or plastic bags.
- (6) Tree limbs, brush and branches shall be cut to lengths between forty- eight and sixty inches. The limbs, brush and branches shall be tied into manageable bundles not exceeding twenty-four inches in diameter or thirty-five pounds in weight. These materials shall be collected by the City on the same collection day as the scheduled rubbish collection day. Yard waste such as limbs, trunks, stumps, etc. in excess of eight inches in diameter or thirty-five pounds in weight will not be picked up.

The City shall annually collect, at no charge, decorative evergreen trees and branches during the two to three-week period immediately following December 25.

(d) <u>Customers Outside City Limits</u>. Commercial hauling is permitted outside the corporate City limits in an area not-to-exceed the geographic boundaries of the four adjacent townships at a ten percent (10%) premium.

(Ord. 105-22. Passed 5-23-22.)

#### 941.07 CHARGES A LIEN; DISCONNECTION OF WATER.

- (a) <u>Billing.</u> The monthly charges provided for above shall be made directly against the real estate (premises) and the owners thereof, except that such charges may be billed directly to the current tenant, lessee or occupant. The City shall bill such charges monthly and allow at least ten days for payment.
- (b) Each charge for the collection and disposal of garbage and/or rubbish that is levied pursuant to the provisions of this chapter shall be made a lien on the premises to which service was rendered after the expiration of thirty days from the last date on which such charge could have been paid without

penalty, by the certification of such unpaid charge with penalty by the Director of Finance to the County Auditor for collection. It shall be placed on the tax duplicate, with interest and penalties allowed by law, and be collected as other Municipal taxes.

- (c) In the event of failure to pay the billing for garbage and/or rubbish collection and disposal service, the City shall suspend or discontinue sanitation and water services to the delinquent premises until all unpaid billings have been paid in full. In the event of discontinuance of water service, the charge for restoration of service shall be collected.
- (d) If the holder of the delinquent account has more than one account with the City of Medina, the delinquent accounts may be consolidated and the full amount owed billed to the current account. (Ord. 105-22. Passed 5-23-22.)

#### 941.08 SANITATION FUND.

The charges levied pursuant to this chapter shall be collected by the Utility Department and shall be deposited with the Director of Finance, and all money so deposited shall be credited to a separate and distinct fund, which shall be known as the Sanitation Fund. When appropriated by Council, such appropriation shall be subject to the order of the Director of Public Service and shall be used only by him solely for the payment of the costs and expenses of the operation, maintenance, repair and management of the Department of Sanitation. When new equipment or land is needed, the Director shall certify the facts to Council for appropriate action as to a special appropriation from the Fund.

(Ord. 105-22. Passed 5-23-22.)

#### 941.09 LATE PAYMENT PENALTY.

A ten percent (10%) penalty shall be added to the outstanding balance of any utility bill not paid on time. The penalty shall be assessed to the outstanding balance of any account not paid by month-end due date. Month-end due date shall be determined by the Director of Finance.

(Ord. 105-22. Passed 5-23-22.)

## 941.99 PENALTY.

Whoever violates any provision of this chapter shall be fined not more than one hundred dollars (\$100.00). Each violation shall be a separate offense. Each day of a violation shall constitute a separate offense.

(Ord. 105-22. Passed 5-23-22.)

# Agenda for Utility Rate Review Commission Mayor's Office March 26, 2024 5:30 p.m.

- 1. Call to Order
- 2. Discuss potential increases for Sanitation rates. This includes both commercial and residential rates. Residential rates were last raised on October 1, 2014.
- 3. Open discussion
- 4. Adjournment

### **Recent (2020-2023) Deficits:**

#### Large Refund:

As noted within the RCA, a large refund of an overpayment is included within the recent deficits. The total of this was just over \$344,000 with the bulk of it repaid in 2022 and further payments of \$86,000 each in 2023 and 2024. This is a non-recurring item so it does not need to be dealt with beyond 2024.

### 2023 Deficit:

The 2023 deficit was over \$700,000. Two factors that contributed to that should be discounted. First, that included an \$86,000 refund of a previous overpayment as noted above.

Second, during 2023 the City purchased two trucks for the Sanitation Department at a cost of nearly \$600,000. The Sanitation Department operates 14 trucks and given their typical longevity we need to purchase roughly one truck per year on average at a cost of roughly \$300,000 per truck.

The deficit with the refund and the second truck excluded was closer to \$300,000. This is still a concern but it is much more manageable than the reported deficit in excess of \$700,000.

### Fuel:

Fuel is something of a wildcard in that the City has little or no control over this cost at least in the short-term. Note that fuel costs ranged from a low of just over \$100,000 in 2020 to a high more than double that in 2022. If fuel costs remain in the ~\$200k/yr range then the fund is obviously in much worse shape than it would be in if fuel costs returned to the ~\$100k/yr range.

## Impact of an Increase in the Residential Rate:

The monthly rate for residential customers is currently \$16. We have a little under 8,000 residential customers paying that rate so a \$1 increase would generate approximately \$8,000 per month or just under \$100,000 annually.

### Two-month or Three-month billing:

This usually comes up in discussion so I'll address it in advance. As shown in the RCA, the Utility Billing Department costs about \$160k/yr for the Sanitation Department and thus makes up a little over 4% of annual Sanitation Department Expenditures.

There would be a savings in postage and printing costs if we switched to two month or three month billing but there are offsetting issues:

## **Collections Costs:**

The current minimum monthly bill for water and trash is \$37.43 consisting of:

- \$16.33 for use of water up to 100 CuFt
- \$5.10 for Water Capital Fund
- \$16.00 for Rubbish

Typical residential water bills are around \$40-50 per month. If the City were to go to two month or three month billing that would increase to \$80-150 per bill. In theory the customers could save the \$40-50 in the months when they do not receive a bill and have it to pay the bigger bill when it comes due. Many customers would do that but the customers we spend the most time dealing with would not. In practice it is harder to collect an \$80-100 bill than it is to collect a \$40-50 bill and it is harder still to collect a \$120-150 bill. Postage and printing costs aren't the biggest drivers of the Utility Billing Department. The biggest driver is personnel costs and most of the personnel time is spent changing accounts and chasing non-payers.

### Cash Flow:

This can best be explained with an example. Suppose that the City had six customers who were each billed \$10 per month and paid that amount to the City:

- Mr. A pays \$10.
- Ms. B pays \$10.
- Mr. C pays \$10.
- Mrs. D pays \$10.
- Mr. E pays \$10.
- Ms. F pays \$10.

So the City bills and collects \$60 per month. Now we go to two-month billing:

#### Month #1:

Mr. A, Ms. B, and Mr. C are billed \$10 each. Mrs. D, Mr. E, and Ms. F are not billed. The City only bills and collects \$30.

## Month #2:

Mrs. D, Mr. E, and Ms. F are billed \$20 each. The City bills and collects \$60.

Month #3 and beyond:

The City alternates between billing the first three or the last three customers \$20 per month each so the City bills and collects \$60 per month.

Note that in Month #1 the City lost half a month's worth of revenue. On a GAAP Basis it is not "lost" it is simply converted from "Cash" to "Accounts Receivable". The problem is that we don't write checks on a GAAP Basis. Our employees and vendors are paid in CASH not IOU. From a cash perspective that \$30 is permanently lost.

Three-month billing:

Month #1:

Mr. A and Ms. B are billed \$10 each. The rest are not billed. The City only bills and collects \$20.

Month #2:

Mr. C and Mrs. D are billed \$20 each. The rest are not billed. The City only bills and collects \$40.

Month #3:

Mr. E and Ms. F are billed \$30 each and the rest are not billed. The City bills and collects \$60.

Month #4 and beyond:

The City alternates between billing the first third, the middle third, and the last third of our customers \$30 each so the City bills and collects \$60 per month.

The \$40 lost in month #1 and the \$20 lost in month #2 amount to a full month's worth of revenue. Once again, on a GAAP Basis nothing has really changed. The \$60 still shows up as an asset on the Balance Sheet as "Accounts Receivable". The problem, as before, is that we do not write checks on a GAAP Basis, we need cash to write checks and from a cash perspective that \$60 is permanently gone.

For both of the examples above note that monthly revenue in the Sanitation Fund is approximately \$300,000 so going to two-month billing would decrease cash by about \$150,000 and going to three-month billing would decrease cast by about \$300,000.

## Cash Balance:

The Sanitation Fund had a balance of \$1.1 Million at the end of 2023 but please note that a certain amount of cash is needed to keep the operation running. The due date for Utility Bills is typically the 20<sup>th</sup> of the month or the next business day after the 20<sup>th</sup>. Around a quarter of our customers are on ACH so their payments are always made exactly on the due date. The bulk of the rest of our customers also pay on or close to the due date.

Vendor Checks typically go out around the first and fifteenth of the month. If there is a payroll before the 5<sup>th</sup> then there will be two payrolls before due date. The point is that depending on how the calendar falls, there are some months in which substantially all of the expenditures are made before any substantial amount of revenue comes in. Consequently, the City must maintain a balance in the fund of at least one month worth of expenditures. That is about \$300k to \$350k.

Additionally, money is needed for contingencies. As noted elsewhere, the Sanitation Department operates 14 trucks which each cost around \$300k to replace. If a 13+ year old truck blows an engine or has some other major mechanical issue it generally is NOT worth fixing it since the rest of the truck is nearing end-of-useful-life. Thus, it is possible at any given time that we might need to buy a \$300K truck with little-or-no notice.

Batch Number (Finance use only) Batch Posted? TYPE OF ADJUSTMENT (CHECK ONE)		REQUEST FOR A ADMINISTRATIVE FINANCE COMMITTEE. COUNCIL	PPROPRIATION ADJU	JSTMENT  x x	RCA Number (Council use only)	2024-020 [Finance use only)	4/9 Firan
FROM ACCOUNT NUMBER	ACCOUNT DESCRIPTION	TO ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT	TRANSFER OF EXISTING APPROPRIATION	UNAPPROPRIATEI FUNDS	<b>)</b>
		161-0705-53311	Office Supplies	1,500.00		x	(1)
			Unemployment  Total increases to fund:				
			Total reductions to fund:  Total transfers within fund:	1,500.00			
EXPLANATION:							
Office supplies for Probation	Dept.						
DEPARTMENT HEAD: MAYOR'S APPROVAL: (WHEN NECESSARY)	Carc	169	_ DATE:	77	24		
COUNCIL/COMMITTEE ACTION APPROVED: DENIED: RETURNED FOR EXPLANA RETURNED TO USE EXIST	TION:				ORD. NO	81-24	
CLERK OF COUNCIL/DATE					ROUTING	ORIGINAL TO FINANCE COPY TO DEPT. HEAD COPY TO COUNCIL	!

Batch Number (Finance use only) Batch Posted?		REQUEST FOR A	PPROPRIATION ADJU		RCA Number (Council use only)	2024-021	9 Inerel
TYPE OF ADJUSTMENT (CHECK ONE)		ADMINISTRATIVE FINANCE COMMITTEE COUNCIL		X X	N	O. [ (Finance use only)	]
FROM ACCOUNT NUMBER	ACCOUNT DESCRIPTION	TO ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT	TRANSFER OF EXISTING APPROPRIATION	UNAPPROPRIATED FUNDS	-
		161-0705-53321	Maint. Of Equipment	2,800.00		x	(1)
							-  <sup>(1)</sup>
							-
			Unemployment				<u>-</u>
			Total increases to fund:				-
			Total reductions to fund:				-
			Total transfers within fund:	2,800.00			-
EXPLANATION:							<b></b> 1
Add funds to line 161-0705-	53321 Probation Services to	cover use of fax/copier/prin	ter for the Probation Departn	nent Officers			
DEPARTMENT HEAD:	C.Cax	ika	DATE:	3/25/2024	-		
MAYOR'S APPROVAL: (WHEN NECESSARY)			DATE:		-		
COUNCIL/COMMITTEE ACTI APPROVED: DENIED: RETURNED FOR EXPLANA RETURNED TO USE EXIST	ATION:				ORD. N	10. 81-24	-
CLERK OF COUNCIL/DATE					ROUTIN	IG: ORIGINAL TO FINANCE COPY TO DEPT. HEAD COPY TO COUNCIL	

REQUEST FOR COUNCIL ACTION

No. <u>RCA 14-083</u>. Committee: <u>Finance</u>

FROM: Mayor Dennis Hanwell

DATE: March 22, 2024

SUBJECT: OneOhio Funding to Medina County ADAMH Board

## SUMMARY AND BACKGROUND:

Respectfully request Council appropriate \$26,582.97 to the Medina County ADAMH Board from the OneOhio Funding to support Hope Recovery Community's HOPE on the Move Program. This program provides transportation assistance to those in need who are engaging in recovery support services in our community. This is a permitted use of the funding per Auditor of State Bulletin 2022-003 per attached.

Estimated Cost: \$26,582,97

Suggested Funding: 153-0771-52215

- Sufficient funds in Account No. 153-0771-52215
- Transfer needed from Account No. to Account No.

NEW APPROPRIATION needed in Account No.

Emergency Clause Requested: No

Reason:

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord./Res. Date:



Lou DeLoss Chairperson

Phillip Titterington
Executive Director

March 22, 2024

Mayor Dennis Hanwell City of Medina, Ohio 132 North Elmwood Medina, OH 44256

Dear Mayor Hanwell,

In 2018, with unwavering support from the City of Medina, the Medina County Alcohol, Drug Addiction and Mental Health (ADAMH) Board purchased and renovated the property on Highland Drive which became the home of Hope Recovery Community (HRC). Over the last six years, which included a building expansion, HRC has seamlessly integrated into the neighborhood and community, as well as the City of Medina as a whole. They provide an extensive continuum of recovery support services to those seeking a life in recovery. On average, HRC provides 2,400 touches per month.

In 2022, the ADAMH Board supported HRC with its development of their Hope on the Move program. The ADAMH Board provided financial support for the purchase of a vehicle as well as operational expenses. The Hope on the Move program helps reduce transportation barriers by providing transportation assistance to those in need who are engaging in recovery support services.

The need for these recovery support services continues to grow and assuring that these individuals can access services and other support remains a challenging, yet imperative task. As the behavioral health authority in Medina County, the ADAMH Board respectfully requests that the City of Medina earmark its OneOhio funding to the ADAMH Board so that it can assist Hope Recovery Community in maintaining its Hope on the Move program. This opportunity to reduce one barrier to support by offering transportation services to those in recovery not only benefits the individual but also positively impacts the City of Medina.

Thank you for your consideration of the ADAMH Board's request.

Respectfully,

Phillip Titterington, MPA

Executive Director



Mayor Dennis Hanwell City of Medina, Ohio 132 North Elmwood Medina, OH 44256

Dear Mayor Hanwell,

On behalf of Hope Recovery Community (HRC), I wish to thank you and the City of Medina not only for supporting the creation of HRC in 2018, but for embracing us these past five years. With your support, countless individuals seeking recovery have been helped in this short period with many more to come.

Through great partnerships with the City of Medina, the ADAMH Board, and many others, we have been able to provide a wide array of individualized support to those on their own, personal recovery journey. We have become a model across the state and country, and have made big strides, but more is needed.

Two years ago, with support from the ADAMH Board, HRC started the Hope on the Move program. This program helps to reduce the transportation barrier by providing transportation assistance for those in need. With the ADAMH Board's support we were able to purchase a vehicle, while also providing some reimbursement for HRC staff and mileage costs.

While we may never eradicate the transportation barrier faced by many seeking recovery, we are making a big impact. Unfortunately, we continue to face a great need for our transportation services and are respectfully requesting that the City of Medina, Ohio earmark its OneOhio funding to HRC to support continuation and expansion of our Hope on the Move program.

I am happy to discuss our request further at your convenience.

Sincerely,

Stefanie Robinson Executive Director

Hope Recovery Community

## **Program Description**

Hope Recovery Community: Hope on the Move

## **Problem Statement:**

Transportation is a major barrier for people in early recovery in the City of Medina. Many people lack driver's licenses and/or vehicles. County transportation options are available but are limited, especially during evening and weekend hours. A lack of reliable transportation can make sustainable employment difficult and access to recovery support services challenging. This impacts recovery for many individuals in the City of Medina.

## Need:

Transportation services for those in the recovery community to access employment, recovery support services, treatment, court hearings, and other recovery-related activities.

In 2022, with support from the ADAMH Board, Hope Recovery Community started their Hope on the Move transportation services program to provide additional transportation support to current Medina County Transit programming.

Medina City OneOhio funding will allow for an additional 500 rides per year to be provided for individuals who are currently facing transportation barriers.

## Sustainability:

Two years ago, Hope Recovery Community secured funding through the ADAMH Board to provide reimbursement for staff time and mileage. Last year, the ADAMH Board provided funding to purchase a vehicle. Medina City OneOhio funding will help Hope Recovery Community leverage additional funding sources to support the Hope on the Move program.

## Request:

Hope Recovery Community respectfully requests \$26,582.97 in OneOhio grant funding to support the Hope on the Move transportation program.

# Hope Recovery Community Hope on the Move Transportation YEARLY BUDGET

Personnel	
Driver	12,000.00
Supervision/ Outreach	5,000.00
Salary Total	17,000.00
Fringe Expense (12%)	
Fringe Total	2,040.00
Total Salary & Fringe	19,040.00
Fuel	<u>5,125.97</u>
General Expense Total	5,125.97
Admin Support (100/)	0.447.00
Admin Support (10%)	2,417.00
Total Program Expenses/Total Request	26,582.97



## Auditor of State Bulletin Bulletin 2022-003

DATE ISSUED:

March 10, 2022

TO:

All County, City, Township, Village Officials and Independent Public

Accountants

FROM:

Keith Faber

**Ohio Auditor of State** 

SUBJECT:

**OneOhio Opioid Settlement** 

Ohio reached an \$808 million agreement with the three largest distributors of opioids. The state developed the OneOhio plan, a mechanism to ensure that any money from a negotiated settlement is distributed fairly to the communities hit hardest by the opioid crisis.

The settlement agreement allocates 30% to local governments (LG Share), 55% to a foundation that will distribute funds to projects, and 15% to the Office of the Ohio Attorney General as Counsel for the State of Ohio. This bulletin will focus on the allocation of settlement proceeds provided directly to local governments in the LG Share.

The purpose of this bulletin is to emphasize the separate accountability and accounting guidance for the LG Share of the OneOhio Opioid Settlement Funds (OneOhio Funds).

## Approved Uses of the Local Government Share

OneOhio Funds must be utilized in a manner consistent with the "Approved Purposes" definition in the OneOhio memorandum of understanding (MOU). According to the MOU, the Funds must be used for "evidence-based forward-looking strategies, programming and services used to (i) expand the availability of treatment for individuals affected by substance use disorders, (ii) develop, promote and provide evidence-based substance use prevention strategies, (iii) provide substance use avoidance and awareness education, (iv) decrease the oversupply of licit and illicit opioids, and (v) support recovery from addiction services performed by qualified and appropriately licensed providers[.]"

Bulletin 2022-003 OneOhio Opioid Settlement Page 2

Additionally, Exhibit A of the MOU sets forth agreed Ohio Opioid Abatement Strategies.

The Ohio Opioid Abatement Strategy includes three main components:

- 1. Strategies for Community Recovery: Included but not limited to prevention, treatment, recovery support and community recovery projects (examples include child welfare, law enforcement strategies and other infrastructure supports). These strategies have a hyper-local focus that allows communities to collaborate and expand necessary services to their community.
- 2. Strategies for Statewide Innovation & Recovery: Included but not limited to strategies included in Community Recovery Component but also projects that promote statewide change and regional development for prevention, treatment, recovery supports and community recovery (examples include regional treatment hubs, drug task forces, data collection and dissemination). This component also includes research and development to understand how to better serve individuals and families in Ohio.
- 3. Strategies for Sustainability: Ohio's addiction and mental health epidemic was not created overnight, and it will not go away immediately. By collaborating to share resources and knowledge, Ohio's state and local communities can build a sustainable financing strategy and infrastructure to reverse the damage that has been done and prevent future epidemics and crises.

The LG Share of the OneOhio Funds can also be used for past expenditures that are consistent with the approved purposes definition.

## Accounting for the Local Government Share

Ohio Rev. Code §5705.09(F) requires subdivisions to establish separate funds for each class of revenue derived from a source other than the general property tax, which the law requires to be used for a particular purpose. Additionally, Ohio Rev. Code §5705.10(I) states that money paid into a fund must be used only for the purposes for which such fund is established.

Before the local government receives its portion from the state, the Auditor of State (AOS) recommends that each participating subdivision accepting the Funds provide by a written ordinance or resolution that the LG Share of the OneOhio Funds shall be placed in a separate fund and used only for the approved purposes as required by the OneOhio MOU. As the special fund is created under Ohio Rev. Code § 5705.09(F), local governments do not need to seek AOS approval for establishing this new fund.

AOS recommends that each participating subdivision accepting OneOhio Funds clearly document their rationale for each expenditure. This documentation is best provided by legislation adopted by the entity's legislative body explaining how the expenditure meets the approved purposes definition of the OneOhio MOU. To aid in our future audit work, we also ask that each expenditure be carefully tracked and adequate documentation of the expenditure be maintained.

For any expenditures previously made by a local government that are eligible for reimbursement with moneys from the LG Share, the local government must pass an ordinance or resolution that identifies

Bulletin 2022-003 OneOhio Opioid Settlement Page 3

the prior expenditures and explains its determination that expenditures are for approved purposes consistent with the OneOhio MOU.

If local governments are using OneOhio Opioid Settlement dollars to reimburse expenditures from another fund, local governments have two options:

Reallocation method - Local governments should receipt the OneOhio Opioid Settlement dollars into the special revenue fund. If the original expenditure was made in the same fiscal year, the local government can reallocate the original expenditure from the original fund to the special revenue fund. Local governments should maintain documentation to support the reallocation. Local governments on the Uniform Accounting Network (UAN) system should refer to UAN for information on how to properly handle reallocations of expenditures in the UAN system. For guidance UAN provided to users to reallocate/reimburse receipts and expenditures using Coronavirus Relief Fund awards, click here. Similar steps will apply to OneOhio Opioid Settlement dollars.

Invoice method - Local governments should receipt the OneOhio Opioid Settlement dollars into the special revenue fund. Management should prepare a detailed invoice documenting the fund that reported the original expenditure of allowable cost(s) (Original Fund), charge the invoice to the OneOhio Opioid Settlement Fund, and record a reduction of the appropriate expenditure if the reimbursement is within the same fiscal year as the original expenditure. Miscellaneous revenue may be a better choice if the reimbursement relates to a prior fiscal year. Some judgment may be needed to determine the best presentation of these amounts in each particular circumstance. Local governments should charge the appropriate functions/objects within the OneOhio Opioid Settlement Fund based on the billing received from the Original Fund. This method is most useful when the original expenditures were made in one year and receipt of the OneOhio Opioid dollars money didn't occur until the following year.

The AOS encourages recipients of OneOhio Funds to consult with their legal counsel as they plan to utilize the Funds.

#### **Questions**

This bulletin is not intended to answer all questions that local governments may have. AOS will continue to provide updated guidance.

If you have any questions regarding the information presented in the Bulletin, please contact the Center for Audit Excellence at the Auditor of State's Office at (800) 282-0370.

Keith Faber

Ohio Auditor of State

Keith Faber

## **Dennis Hanwell**

From:

Lori Bowers

Sent:

Thursday, February 8, 2024 2:43 PM

To:

Dennis Hanwell

Subject:

RE: One Ohio monies

Attachments:

Rev Audit Trail\_Fund 153\_Opioid funds\_through 12.31.23.pdf; OneOhio-MOU-Toolkit-

for-Local-Governments.pdf

Hi Mayor,

We have received \$26,913.63 from the settlements. I attached a revenue audit trail that shows the funds received through December 2023. We received another \$330.66 in January so the total is higher than what shows on the December report.

We have received: \$23,210.03 from OneOhio and \$3,703.60 from the National Opioid Abatements

We have not allocated or earmarked any funds.

The OneOhio Recovery Foundation lists allowable uses in their FAQ's:

How can OneOhio Recovery Foundation's settlement funds be used?

Opioid settlement funds can be used in accordance with a defined set of Approved Purposes and a comprehensive list of opioid remediation strategies that were negotiated as part of the litigation settlement. This includes the funding of programs that address prevention, treatment and long-term recovery; criminal justice; and public awareness expenditures that promote the overall health and well-being of Ohioans. Funds can be used for both regional projects and statewide programs, innovation, research, and education. The OneOhio plan ensures that these funds are preserved and flexible over time as a way of helping combat the ever-evolving drug problem.

I also attached a document that has more detailed information about the permitted uses for the OneOhio funds. (OneOhio MOU-Toolkit - Exhibit A)

For the other settlements: here is a link to the National opioid settlement website. That website has information about the allowable uses for those funds. National Opioids Settlement (national opioids ettlement.com)

From the website FAQ page:

## **Approved Uses & Core Strategy for Opioid Remediation Funds**

Each of the 2022 National Opioid Settlements include a list of approved uses for the settlements' remediation funds. The approved uses as well as the 'core strategies' are listed in Exhibit E to the settlements, which are substantially identical to one another. An exemplar (from the Teva agreement) can be found here. The remainder are in the Settlement Document links on this website. Additional limitations, variances, and/or other relevant provisions may be found in particular states' memoranda of understanding.

Please let me know if you need anything else.

Thanks, Lori From: Dennis Hanwell <dhanwell@medinaoh.org>

Sent: Thursday, February 8, 2024 1:11 PM
To: Lori Bowers < lbowers@medinaoh.org>
Cc: Dennis Hanwell < dhanwell@medinaoh.org>

**Subject:** One Ohio monies

Lori

Can you advise the amount of monies received from One Ohio thus far?

Any info we have been provided of permitted uses?

And whether we have allocated or earmarked any yet, if so for what?

Thanks much Dennis

0 X 3 2 1 2 4

# REQUEST FOR COUNCIL ACTION

No. 24-88.4-49

FROM: Kimberly Marshall, Economic Development Director Committee: Finance

DATE: March 20, 2024

SUBJECT: Request to Rescind Ordinance 117-23 City / Uptown Thirteen Five, LLC / MCDC

Memorandum of Understanding

## SUMMARY AND BACKGROUND:

This request is to rescind Ordinance 117-23 a Memorandum of Understanding with Uptown Thirteen Five, LLC and the Medina City Development Corporation for certain infrastructure improvements to be made by the City and the Developer.

**Estimated Cost:** 

Suggested Funding: Sufficient funds in Account No.

Transfer needed from Account No.

to Account No.

NEW APPROPRIATION needed in Account No.

Emergency Clause Requested: NO

Reason:

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord./Res.

Date:

#### **ORDINANCE NO. 117-23**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH UPTOWN THIRTEEN FIVE, LLC AND THE MEDINA CITY DEVELOPMENT CORPORATION FOR CERTAIN INFRASTRUCTURE IMPROVEMENTS TO BE MADE BY THE CITY AND THE DEVELOPER, 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 execute a Memorandum of Understanding between the City of Medina, Uptown Thirteen Five, LLC and the Medina City Development Corporation pertaining to certain infrastructure improvements to be made by the City and the Developer, listed in Exhibit B.
- SEC. 2: That Ordinance No. 73-23, passed April 10, 2023, is hereby repealed.
- SEC. 3: That a copy of the Memorandum of Understanding is marked Exhibit A, attached hereto and incorporated herein, and is subject to the Law Director's final approval.
- 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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that this is only a name change of the LLC, and so the project can begin as soon as possible; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED:	July 10, 2023	SIGNED:	James A. Shields
		Preside	ent of Council Pro-Tem
ATTEST:	Kathy Patton Clerk of Council	APPROVED:	July 11, 2023
		SIGNED:	Dennis Hanwell
			Mayor

Acting Palloro Sulg 10:2023

# MEMORANDUM OF UNDERSTANDING ORD. 1877-

This Memorandum of Understanding (hereinafter "MOU") is entered into as of the /b // day of \_\_\_\_\_\_\_\_\_, 2023, at Medina, Ohio, by and among the City of Medina, an Ohio Municipal Corporation with an address of 132 North Elmwood Avenue, Medina, Ohio 44256 (hereinafter "City"), Medina City Development Corporation, an Ohio Non-Profit Corporation, with an address of 132 North Elmwood Avenue, Medina, Ohio 44256 (hereinafter "MCDC"), and Uptown Thirteen Five, LLC, an Ohio Limited Liability Company, with an address of 4015 Medina Road, Suite 200, Medina OH 44256 (hereinafter "Company").

## **RECITALS**

Whereas, MCDC is the owner of certain real property located on West Liberty Street in the City of Mcdina Ohio, more particularly described on Exhibit A (hereinafter "Property"), attached hereto and made a part hereof; and,

Whereas, MCDC wishes to redevelop the Property into a community-driven, mixed-use development for the benefit the City; and,

Whereas, MCDC is in negotiations with Company whereby Company will construct, use, and occupy the Property as a first-class mixed use commercial and residential development (the "Project") pursuant to a fifty (50) year ground lease with MCDC (hereinafter "Lease") and,

Whereas, MCDC and Comapny wish to obtain certain assurances and commitments from the City which are conditions precedent to consummation of the Lease, but such assurances and commitments do not become effective until the Lease is in effect; and,

Whereas, the parties hereto wish to set forth those assurances and commitments in this MOU.

NOW, THEREFORE, for the consideration flowing among the parties and in consideration of the mutual promises set forth below that are conditioned upon the Lease being consummated, the City, MCDC and Company make the following assurances and commitments:

- 1. Parking: The City represents that, as of the date of this Agreement, there are more than four hundred (400) public parking spaces within a one block radius of the Property including the Medina City parking facility to the north of the Property (hereinafter "Parking Deck") and in Medina City surface parking lots. The City commits that, to the extent the Parking Deck and the Medina City surface parking lots continue to exist during the term of the Lease, these public parking spaces will remain available to commercial and residential sub-tenants of Company during the term of the Lease, on a first-come, first-served basis. Furthermore, during the term of the Lease, residential sub-tenants of Company shall be eligible to purchase parking permits pursuant to Medina Codified Ordinance 351.15 which will allow them to park in any City "municipal offstreet parking facility" without risk of violating the restricted time-limits.
- 2. Public Infrastructure and Improvements: Subject to appropriation of funds by the City's Council and within ten percent (10%) of the amount of the project cost estimates in Exhibit B, attached hereto and made a part hereof, the City agrees to:
- a. Pay the cost of a four (4)-foot wide new sidewalk and a curb along the public drive between the Property and the parcel located immediately to the east, which public drive will connect West Liberty Street to the Parking Deck. The curb will be structurally tied to the sidewalk. The sidewalk of four (4)-inch thick concrete will be poured as part of a wider sidewalk that will service both the Liberty View Project and the Parking Deck. The sidewalk will be provided as part of the construction of the Project by Company. All costs in excess of the four (4)-foot wide portion of the sidewalk and curb will be borne by Company. Company shall provide a copy of an

invoice from its contractor for the cost of the sidewalk for the purpose of reimbursement to Company for the City's cost of the four (4)-foot wide sidewalk

- b. Provide the public driveway from Liberty Street to the Parking Deck at its cost;
- c. Pay the cost of:
  - (1) A curb to be poured integral with the new sidewalk located to the south of the Leased Property along West Liberty Street as part of the construction of the Liberty View Project by Company. Company shall provide a copy of an invoice from its contractor for the cost of the curb for the purpose of reimbursement to Company for the City's cost of the curb.
  - (2) The sidewalk (with curb) will be provided as part of the construction of the Liberty View Project by Company. All costs for the sidewalk will be borne by Company.
- d. Install, at its cost, a water main and hydrant from Liberty Street to the Parking Deck into which Company will be permitted to connect at the north end of the Leased Property, but Company shall pay the standard City charges for the tap-in, meter and permit therefor.
- e. Install and maintain, at its cost, a community dumpster, pad, and enclosure located adjacent to the Parking Deck to serve Company's commercial and residential sub-tenants of the Project and to serve the commercial businesses that may be located on Permanent Parcel Nos. 028-19A-21-080, 028-19A-21-081, and 028-19A-21-082; the City will provide for the disposal of waste from the dumpster and the costs thereof will be divided equally among the various users of the dumpster and billed accordingly by the City; and the City agrees to jointly develop the specifications therefor with Architectural Design Studios of Medina, Ohio;

- f. Pay the cost to relocate the primary power lines currently located along Liberty Street to the alleyway west of the Public Square and north of East Washington Street and to obtain any necessary easements therefor at its cost; and
- g. Provide Company with a temporary staging area for the Project on the south side of Liberty Street across from the Property (the exact size and location of which shall be reasonable as determined by the City) for construction vehicles, equipment and material to facilitate Company's construction of the Project; Company shall be responsible for: (i) any damages to the staging area as a result of Company's and its contractors' use of the staging area and the cost of repair thereof; (ii) security of the staging area; and (iii) shall indemnify and hold harmless the City from any and all claims for damages to persons or property as a result of Company's use of the staging area.

The parties agree to coordinate among their respective engineers and architects regarding the timing for completion of the items set forth in this Paragraph 2 that will be most appropriate and cost effective.

- 3. The terms of this MOU may not be modified except in writing signed by all of the parties hereto.
- 4. This MOU shall be binding on and shall inure to the benefit of the parties, their successors, and assigns.
- 5. The provisions of this MOU are severable, and in the event that any provision is declared invalid, this MOU shall be interpreted as if such invalid provision were not contained herein.
- 6. The rights and obligations of the parties hereunder and the interpretation of this MOU shall be governed by the laws of the State of Ohio. All disputes arising under this MOU

shall be resolved in the courts of Medina County, Ohio. The parties hereby consent to submit themselves to the jurisdiction of such courts.

- 7. The parties agree to bear their own respective legal costs.
- 8. This MOU may be executed in any number of counterparts, all such counterparts shall be deemed to constitute one and the same instrument, and each of said counterparts shall be deemed an original.

(The balance of this page is intentionally left blank; signature page to follow.)

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding at Medina, Ohio, the day and year first above written.

Approved as to legal form and correctness:

Gregory A. Huber, Director of Law

City of Medina

STATE OF OHIO	)
MEDINA COUNTY	) ss: )
appeared the above-naits Mayor, who executhe voluntary act of sacknowledgement. N	ME, a Notary Public in and for the State and County aforesaid, personally amed City of Medina, an Ohio municipal corporation, by Dennis Hanwell, ted the foregoing instrument in my presence and acknowledged the same as aid City and his voluntary act individually and as such officer. This is an o oath or affirmation was administered to the signer.
IN TEST 	IMONY WHEREOF, I have hereunto set my hand and official seal this , 2023, at Medina, Ohio.
	Sherre a. Crownord Public
	Sherry A. Crow
	Notary Public
STATE OF OHIO	State of Ohio, Medina County
STATE OF OHIO MEDINA COUNTY	State of Ohio, Medina County
BEFORE I appeared the above-Corporation, by President acknowledged the sam act individually and a	State of Ohlo, Medina County    Wy Commission Expires 5-27-24   ss:     ME, a Notary Public in and for the State and County aforesaid, personally named Medina City Development Corporation, an Ohio Non-Profit   Mimberly Maishall , its
BEFORE I appeared the above-Corporation, by  President acknowledged the sam act individually and a No oath or affirmation	State of Ohlo, Medina County My Commission Expires 5-27-24  ME, a Notary Public in and for the State and County aforesaid, personally named Medina City Development Corporation, an Ohio Non-Profit    Mimberly Marshall
BEFORE I appeared the above-Corporation, by  President acknowledged the sam act individually and a No oath or affirmation	State of Ohlo, Medina County    My Commission Expires 5-27-24

SHERRY A. CROW

Notary Public

State of Ohio, Medina County

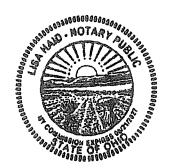
My Commission Expires 5-27-24

STATE OF OHIO	)
	) ss:
MEDINA COUNTY	)

BEFORE ME, a Notary Public in and for the State and County aforesaid, personally appeared the above-named Uptown Thirteen Five, LLC, an Ohio Limited Liability Company, by and through Michael R. Rose, its Member, who executed the foregoing instrument in my presence and acknowledged the same as the voluntary act of said Company and his voluntary act individually and as such Member. This is an acknowledgement. No oath or affirmation was administered to the signer.

IN TESTIMONY WHEREOF, I have hercunto set my hand and official seal this 15 the day of August, 2023, at Medina, Ohio.

NOTARY PUBLIC



#### **EXHIBIT A**



Cunningham & Associates, Inc.

Civil Engineering & Surveying
203 W. Liberty St., Medlina, Oh 44256
Phone: (330) 725-5980 \* Fax (330) 725-8019

Legal Description for MCL 9399 Project No. 15-133 October 20, 2022

Situated in the City of Medina, County of Medina, State of Ohio and being known the whole of Medina City Lot 9399, as shown by plat as recorded in Document Number 2022PLOCOLS of Medina County Recorder's Records, containing 0.4450 Acres of land, more or less but subject to all legal highways and all covenants and agreements of record.

This legal description was prepared based on a survey by and/or under the supervision of Douglas S. Jewel P.S. # S-8007 by Cunningham & Associates, Inc. in September 2022.

HEN PARCEL HO. <u>02A-19A-71</u>-395 SURVEY PEP. <u>J. A.</u> AFPROVED BY <u>MAN</u> HIGDINA CO. HAY OFFICE

EXHI	BIT B					
MOU Item	Item	Who Builds?	Who Pays?	Budget Estimate	City Share of Cost	Company Cost
A	Sidewalk along the east side of the building, running from W. Liberty Street to the Parking Deck	Company	City and Company	\$14,400	\$4,100	\$10,300
	-1,710 SF of 4-inch concrete sidewalk		Share			
	City pays for 4-foot wide sidewalk; Company pays for any additional width of sidewalk		Costs			
В	Public driveway from W. Liberty St. to Parking Deck with curb. Curb to be structurally tied to adjacent sidewalk to the east.	City	City	\$50,100	\$50,100	\$0
	-467 SY of 8-inch concrete pavement with base & integral curbs, both sides -290 LF of 4-inch curb drain					
<del></del>	-290 LP of 4-inch curb drain		<u> </u>			<del></del>
c.1	Curb along the W. Liberty frontage of the property	Company	City	\$3,500	\$3,500	\$0
	-155 LF of curb					
c.2	Sidewalk along the W. Liberty frontage of the property	Company	Company	\$17,600	\$0	\$17,600
	-2,100 SF of 4-inch concrete sidewalk					
d	Water line from W. Liberty to north end of property, includes fire hydrant	City	City	\$37,400	\$37,400	\$0
	-8-inch gate valve					
	-172 LF of 8 inch dia, PVC water line					
	-1 fire hydrant					
	Company to pay for meter, tap and permit	- <del> </del>				
е	Common Dumpster Enclosure, with concrete pad and bollards	City	City	\$42,700	\$42,700	\$0
	-67 SY of 8 inch concrete pavement					
******	-74 LF of 18 inch by 36 inch trench footing					
	-7 EA bollards with concrete footings*					
	-2 EA 11 ft wide by 6 ft high galvanized frame gates*					
	-1 BA Man door/gate					
	-533 SF of 8 inch split face masonry block*					
	-Wood slats on the doors					
	* Estimate for these items prepared by Campbell on 8/23/22					
f	City to contract with Ohio Edison to relocate primary power lines	Óhio Edison	City	\$83,186	\$83,186	\$0
	-Estimate prepared by Ohio Edison					
			TOTAL	\$248,886	\$220,986	\$27,900

REQUEST FOR COUNCIL ACTION		No. <u>PCA</u>	24-085-4/9 e: <u>Finance</u>
FROM: DATE: SUBJECT:	Medina County Commissioners April 1, 2024 Resolution to Approve/Disapprove C		
SUMMARY AND B	ACKGROUND:		
Requesting City Council approve or disapprove of the attached final plan, prepared by 9-1-1 Program Review Committee.			al plan, prepared by the
,			
	needed from Account No. to Account No. PROPRIATION needed in Account No. e Requested: No		
COUNCIL USE ONLY: Committee Action/Recommendation:			

Ord./Res. Date:

**Council Action Taken:** 



#### Medina County Board of Commissioners

Stephen D. Hambley

Aaron M. Harrison

Colleen M. Swedyk

March 25, 2024

Council Members
City of Medina
132 N. Elmwood Ave.
Medina, OH 44256-1827

Dear Council Members,

As prepared by the 9-1-1 Program Review Committee, please find the enclosed 9-1-1 Medina County Final Plan. Pursuant to O.R.C. Section 128.07, within sixty days after receipt of the final plan, the board of county commissioners of the county and the legislative authority of each municipal corporation in the county and of each township whose territory is proposed to be included in a countywide 9-1-1 system shall act by resolution to approve or disapprove the plan.

Failure by a board of legislative authority to notify the board of county commissioners of approval or disapproval within such sixty-day period shall be deemed disapproval by the board of authority.

A countywide plan is effective if all of the following entities approve the plan in accordance with this section: (1) the board of county commissioners; (2) the legislative authority of a municipal corporation that contains at least thirty percent of the county's population; (3) the legislative authorities of municipal corporations and townships that contain at least sixty percent of the county's population.

Please forward a copy of the approved resolutions to me at <u>bgallatin@ohmedinaco.org</u>.

Sincerely,

Brian S. Gallatin

Brian D. Sollatin

Assistant Clerk to the Medina County Commissioners

Department of Administrative Services

9-1-1 Program Office

ORC §128.06 (A)

County: Medina Date: 03/06/20
-------------------------------

Please enter Name, Title, and Agency Represented, for each of the six (6) voting members of your County 9-1-1 Program Review Committee below:

#### <sub>1.</sub> Aaron Harrison

Board of County Commissioners Member or Designee, Chairperson

#### <sub>2.</sub> Carl DeForest

Chief Executive Officer of most populous municipal corporation in the County

#### 3. Sally Albrecht

A member of the board of township trustees of the most populous township in the county as selected by majority vote of the board of trustees

#### 4. Kimberly Bolas-Miller

A member of a board of township trustees selected by the majority of boards of township trustees in the county pursuant to resolutions they adopt

#### <sub>5.</sub> Dennie Simpson

A member of the legislative authority of a municipal corporation in the county selected by the majority of the legislative authorities of municipal corporations in the county pursuant to resolutions they adopt

#### Sheriff Terry Grice

An elected official from within the county appointed by the board of county commissioners

§128.07(A)(1): Which telephone companies serving customers in the county and, as authorized in division (A) of section 128.03 of the Revised Code, in an adjacent county will participate in the 9-1-1 system?

Frontier Communications (LEC)
T-Mobile
AT&T
Verizon

# Department of Administrative Services

#### County Final Plan for Counties following:

ORC §128.06 (A)

9-1-1 Program Office

§128.07(A)(2): Please list locations of the Public Safety Answering Points (PSAPS) as defined in §128.01(P) in your service area and include the number of 9-1-1 Positions:

PSAP Name: Medina County Sheriff's Office

PSAP Location: 555 Independence Dr Medina 44256 # of 9-1-1 Positions: 5

PSAP Name: Wadsworth Police Department

PSAP Location: 343 College St. Wadsworth 44281 # of 9-1-1 Positions: 3

PSAP Name: Brunswick Police Department

PSAP Location: 4095 Center Rd. Brunswick 44212 # of 9-1-1 Positions: 3

PSAP Name: Medina Police Department

PSAP Location: 150 W Friendship St Medina 44256 # of 9-1-1 Positions:3

PSAP Name:

PSAP Location: # of 9-1-1 Positions:

**PSAP Name:** 

PSAP Location: # of 9-1-1 Positions:

§128.07(A)(2): How will each PSAP listed above connect to the County's preferred Next Generation 9-1-1 (NG91-1) System?

PSAP Name: Medina County Sheriff's Office

Connection description:

Fiber Connection for each PSAP countywide ESINet

### County Final Plan for Counties following: ORC §128.06 (A)



9-1-1 Program Office

PSAP Name: Wadsworth Police Department

Connection description:

Fiber Connection for each PSAP countywide ESINet

Tiber Connection	TOT EACH FOAF Countywide Estivet
PSAP Name: Connection desc Fiber Connection	Brunswick Police Department cription: for each PSAP countywide ESINet
PSAP Name: Connection desc Fiber Connection	Medina Police Department cription: for each PSAP countywide ESINet
PSAP Name: Connection desc	cription:

PSAP Name Connection description:

#### County Final Plan for Counties following: ORC §128.06 (A)



9-1-1 Program Office

PSAP Name: Connection description:		
PSAP Name: Connection description:		
PSAP Name: Connection description:		
PSAP Name: Connection description:		

## Department of Administrative Services

#### County Final Plan for Counties following:

ORC §128.06 (A)

9-1-1 Program Office

§128.07(A)(2): From what geographic territory [city, village, township, etc.] will each of the PSAPs receive 9-1-1 calls?

PSAP Name: Medina County Sheriff's Office

Geographic territory (ies):

Townships of Liverpool, Hinckley, Litchfield, York, Granger, Spencer, Chatham, Lafayette, Sharon, Homer, Harrisville, Westfield, Guilford, Wadsworth

Villages of Spencer, Westfield Center, Lodi, Seville, Chippewa Lake and Gloria Glens

PSAP Name: Wadsworth Police Department

Geographic territory (ies):

City of Wadsworth

PSAP Name: Brunswick Police Department

Geographic territory (ies):

Clty of Brunswick, Brunswick Hills Township

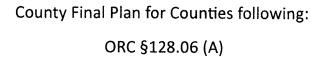
PSAP Name: Medina Police Department

Geographic territory (ies):

City of Medina, Montville and Medina Township

**PSAP Name:** 

Geographic territory (ies):





9-1-1 Program Office

PSAP Name: Geographic territory (ies):		
PSAP Name: Geographic territory (ies):		

#### Ohio Administ Services

Department of Administrative Services

County Final Plan for Counties following:

ORC §128.06 (A) 9-1-1 Program Office

§128.07(A)(2): Within each ter service be provided? (check all		ed 9-1-1 or NG9-1-1
- '		Office Spencer, Chatham, Lafayette, Sharon,
Villages of Spencer, Westfield Ce	nter, Lodi, Seville, Chippe	wa Lake and Gloria Glens
<b>√</b> Enhance	ed 9-1-1	NG9-1-1
Geographic territory (ies) \text{\text{V}} \text{City of Wadsworth}	Vadsworth Police Depa	rtment
<b>√</b> Enhance	ed 9-1-1	NG9-1-1
Geographic territory (ies) E Clty of Brunswick, Brunswick Hills	Brunswick Police Depar Township	tment
Enhance		NG9-1-1
Geographic territory (ies)  City of Medina, Montville and Med	Medina Police Departme lina Township	ent
☑ Enhance Geographic territory (ies)	ed 9-1-1	NG9-1-1
Finhance	:d 9-1-1	NG9-1-1

## County Final Plan for Counties following: ORC §128.06 (A)



9-1-1 Program Office

Geographic territory (ies)		
Geographic territ	Enhanced 9-1-1 ory (ies)	NG9-1-1
Geographic territ	Enhanced 9-1-1 ory (ies)	NG9-1-1
Geographic territo	Enhanced 9-1-1 ory (ies)	NG9-1-1
Geographic territe	Enhanced 9-1-1 ory (ies)	NG9-1-1
	Enhanced 9-1-1	NG9-1-1

## Ohio Department of Administrative Services

#### County Final Plan for Counties following:

ORC §128.06 (A)

9-1-1 Program Office

§128.07(A)(2): What subdivisions will be served by each by each PSAP listed? [Police, Fire, EMS, etc.]

PSAP Name: Medina County Sheriff's Office

Subdivision(s) served:

Liverpool Fire & EMS • Hinckley Police, Fire & EMS • Litchfield Fire & EMS • Erhart Fire & EMS • Granger Fire & EMS • Spencer Police, Fire & EMS • Chatham Fire & EMS • Lafayette Fire & EMS • Sharon Fire & EMS • Lodi Police, Fire & EMS • Westfield Police, Fire & EMS • Seville Police, Fire & EMS

PSAP Name: Wadsworth Police Department

Subdivision(s) served:

Wadsworth Police, Fire & EMS

PSAP Name: Brunswick Police Department

Subdivision(s) served:

Brunswick Police, Fire & EMS Brunwick Hills Police, Fire & EMS

PSAP Name: Medina Police Department

Subdivision(s) served:

Medina Police, Fire & EMS Montville Police Medina Township Police

**PSAP Name:** 

Subdivision(s) served:

### County Final Plan for Counties following: ORC §128.06 (A)



PSAP Name Subdivision(s) served:

## Department of Administrative Services

#### County Final Plan for Counties following:

ORC §128.06 (A)

9-1-1 Program Office

§128.07(A)(2): Identify which PSAPs listed are going to respond to calls by directly dispatching an emergency service provider, relaying a message to the appropriate emergency service provider, or by transferring the call to the appropriate emergency service provider. (check all that apply)

PSAP Na	me Medina County Sheriff's Offi  Directly dispatching	Relaying message	Transferring call
PSAP Na	me Wadsworth Police Departme	ent Relaying message	Transferring call
PSAP Na	me Brunswick Police Departmen	nt Relaying message	Transferring call
PSAP Na	me Medina Police Department  Directly dispatching	Relaying message	Transferring call
PSAP Na	me Directly dispatching	Relaying message	Transferring call
PSAP Na	me Directly dispatching	Relaying message	Transferring call
PSAP Na	me Directly dispatching	Relaying message	Transferring call
PSAP Na	me Directly dispatching	Relaying message	Transferring call
PSAP Na	me Directly dispatching	Relaying message	Transferring call
PSAP Na	me Directly dispatching	Relaying message	Transferring call



ORC §128.06 (A)

§128.07(A)(3): How must originating service providers connect to the core 9-1-1 system identified by the final plan and what methods will be utilized by the originating service provider to provide 9-1-1 voice, text, other forms of messaging media, and caller location to the core 9-1-1 system?

Fiber connection. Central Square is ready for connection when ESINet is in place.

§128.07(A)(4): If one of the PSAPs does not directly dispatch emergency services needed for an incident, without significant delay, the request shall be transferred, or the information electronically relayed to the entity that directly dispatches the potentially needed emergency services. How will the transfer or electronic relay be accomplished?

PSAP Name: Medina County Sheriff's Office

**Direct Dispatch** 

PSAP Name: Wadsworth Police Department

Direct Dispatch

PSAP Name: Brunswick Police Department

**Direct Dispatch** 

## County Final Plan for Counties following: ORC §128.06 (A)



9-1-1 Program Office

PSAP Name: Direct Dispatch	Medina Police Department
PSAP Name:	



ORC §128.06 (A)

9-1-1 Program Office

§128.07(A)(5): Which subdivision or regional council of government will establish, equip, furnish, operate, and maintain each respective PSAP?
PSAP Name: Medina County Sheriff's Office
Subdivision or COG: Medina County Commissioners
PSAP Name: Wadsworth Police Department
Subdivision or COG: City of Wadsworth
PSAP Name: Brunswick Police Department
Subdivision or COG: City of Brunswick
PSAP Name: Medina Police Department
Subdivision or COG: City of Medina
PSAP Name:
Subdivision or COG:
PSAP Name:
Subdivision or COG:
PSAP Name:
Subdivision or COG:
PSAP Name:
Subdivision or COG:
PSAP Name:
Subdivision or COG:
PSAP Name:

Subdivision or COG:

## Department of Administrative Services

#### County Final Plan for Counties following:

ORC §128.06 (A)

9-1-1 Program Office

§128.07(A)(6): each PSAP.	Please provide a projection of the initial cost to establish, equip, and furnish
PSAP Name:	Medina County Sheriff's Office
Projected cost:	\$ 95,900.00
PSAP Name:	Wadsworth Police Department
Projected cost:	\$ 25,000.00
PSAP Name:	Brunswick Police Department
Projected cost:	\$ 25,000.00
PSAP Name	Medina Police Department
Projected cost:	\$ 25,000.00
PSAP Name:	
Projected cost:	
PSAP Name:	
Projected cost:	
PSAP Name:	
Projected cost:	
PSAP Name:	
Projected cost:	
PSAP Name:	
Projected cost:	

PSAP Name: Projected cost:



9-1-1 Program Office

ORC §128.06 (A)

§128.07(A)(6): Please provide the annual cost of the first five years of operating and maintaining each PSAP.

PSAP Name:  Medina County Sheriff's Office	Annual Cost year 1 \$ 1,426,542.00 Annual Cost year 2 \$ 1,483,603.00 Annual Cost year 3 \$ 1,542,947.00 Annual Cost year 4 \$ 1,604,665.00 Annual Cost year 5 \$ 1,668,852.00 Total \$ 7,726,609.00
PSAP Name: Wadsworth Police Department	Annual Cost year 1 \$ 1,018,598.00 Annual Cost year 2 \$ 1,059,342.00 Annual Cost year 3 \$ 1,101,716.00 Annual Cost year 4 \$ 1,145,785.00 Annual Cost year 5 \$ 1,191,616.00 Total \$ 5,517,057.00
PSAP Name: Brunswick Police Department	Annual Cost year 1 \$ 1,102,441.00 Annual Cost year 2 \$ 1,146,538.00 Annual Cost year 3 \$ 1,192,400.00 Annual Cost year 4 \$ 1,240,096.00 Annual Cost year 5 \$ 1,289,700.00 Total \$ 5,971,175.00
PSAP Name: Medina Police Department	Annual Cost year 1 \$ 1,110,888.00 Annual Cost year 2 \$ 1,155,324.00 Annual Cost year 3 \$ 1,201,536.00 Annual Cost year 4 \$ 1,249,598.00 Annual Cost year 5 \$ 1,299,582.00 Total \$ 6,016,928.00
PSAP Name:	Annual Cost year 1 Annual Cost year 2 Annual Cost year 3 Annual Cost year 4 Annual Cost year 5 Total \$ 0.00

### County Final Plan for Counties following: ORC §128.06 (A)



9-1-1 Program Office

PSAP Name:	Annual Cost year 1
------------	--------------------

Annual Cost year 2 Annual Cost year 3 Annual Cost year 4 Annual Cost year 5

Total \$ 0.00

PSAP Name: Annual Cost year 1

Annual Cost year 2 Annual Cost year 3 Annual Cost year 4 Annual Cost year 5

Total \$ 0.00

PSAP Name: Annual Cost year 1

Annual Cost year 2 Annual Cost year 3 Annual Cost year 4 Annual Cost year 5

Total \$ 0.00

PSAP Name: Annual Cost year 1

Annual Cost year 2 Annual Cost year 3 Annual Cost year 4 Annual Cost year 5

Total \$ 0.00

PSAP Name: Annual Cost year 1

Annual Cost year 2 Annual Cost year 3 Annual Cost year 4 Annual Cost year 5

Total \$ 0.00



ORC §128.06 (A)

9-1-1 Program Office

§128.07(A)(7): Is the cost of establishing, equipping, furnishing, operating, or maintaining any of the PSAPs listed being funded through charges imposed under §128.35?

PSAP Name:	Medina Count	ty Sheriff's Office
	Yes	No 🗸
PSAP Name:	Wadsworth Po	olice Department
on mamo.	Yes	No 🗸
PSAP Name:	Brunswick Po	lice Department
	Yes	No 🗸
PSAP Name:	Medina Police	Department
	Yes	
DOAD Name		
PSAP Name:	Yes	No 🗔
	<b></b>	L
PSAP Name:	<u> </u>	
	Yes	No
PSAP Name:		
	Yes	No
DOAD Maria		
PSAP Name:	Yes	No 🗍
	<b></b>	
PSAP Name:	V []	N. []
	Yes	NO
PSAP Name:		
	Yes	No 🗍



ORC §128.06 (A)

9-1-1 Program Office

§128.07(A)(7): Will the cost of establishing, equipping, furnishing, operating, or maintaining any listed PSAP be allocated among the subdivisions served by the respective PSAP and, if any such cost is to be allocated, what is the <u>formula</u> for so allocating it?

PSAP Name:	Medina County Sheriff's Office
25% after the e	xpedendture of all 911 related costs and capital fund met.
PSAP Name:	Wadsworth Police Department
25% after the e	xpedendture of all 911 related costs and capital fund met.
PSAP Name:	Brunswick Police Department
25% after the e	xpedendture of all 911 related costs and capital fund met.
PSAP Name:	Medina Police Department
25% after the e	xpedendture of all 911 related costs and capital fund met.
PSAP Name:	
PSAP Name:	
FOME Name.	



ORC §128.06 (A)

9-1-1 Program Office

§128.07(A)(8): Provide information on how each emergency service provider will respond to a misdirected call or the provision of a caller location that is either misrepresentative of the actual location or does not meet the requirements of the FCC or other accepted national standards as they exist on the date of the call origination.

PSAP Name: Medina County Sheriff's Office

Transfer to the correct PSAP utilizing the direct 911 transfer for in county PSAP's. Out of county are transferred to ten digit number for the PSAP.

PSAP Name: Wadsworth Police Department

Transfer to the correct PSAP utilizing the direct 911 transfer for in county PSAP's. Out of county are transferred to ten digit number for the PSAP.

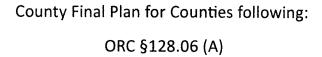
PSAP Name: Brunswick Police Department

Transfer to the correct PSAP utilizing the direct 911 transfer for in county PSAP's. Out of county are transferred to ten digit number for the PSAP.

PSAP Name: Medina Police Department

Transfer to the correct PSAP utilizing the direct 911 transfer for in county PSAP's. Out of county are transferred to ten digit number for the PSAP.

**PSAP Name:** 





9-1-1 Program Office

PSAP Name:			
PSAP Name:			

## Department of Administrative Services

#### County Final Plan for Counties following:

#### ORC §128.06 (A)

9-1-1 Program Office

§128.021: Adoption of rules establishing technical and operational standards for PSAPs. Check the answer next to each question (2) for all PSAPs: PSAP Name: Medina County Sheriff's Office Does the PSAP currently meet the PSAP rules: Yes 🗸 No If no, will the PSAP have to comply in 2 years: N/A ✓ Yes No PSAP Name: Wadsworth Police Department No 🗸 Does the PSAP currently meet the PSAP rules: Yes If no, will the PSAP have to comply in 2 years: Yes 🗸 N/A No PSAP Name: **Brunswick Police Department** Does the PSAP currently meet the PSAP rules: Yes No 🗸 If no, will PSAP have to comply in 2 years: Yes√ No N/A PSAP Name: Medina Police Department Yes Does the PSAP currently meet the PSAP rules: No ✓ If no, will the PSAP have to comply in 2 years: Yes✓ No N/A **PSAP Name:** Does the PSAP currently meet the PSAP rules: Yes No N/Ar If no, will the PSAP have to comply in 2 years: No Yes **PSAP Name:** Yes No l Does the PSAP currently meet the PSAP rules: If no, will the PSAP have to comply in 2 years: Yes No **PSAP Name:** Yes No Does the PSAP currently meet the PSAP rules: N/A[ If no, will the PSAP have to comply in 2 years: Yes No I **PSAP Name:** Does the PSAP currently meet the PSAP rules: Yes No I If no, will the PSAP have to comply in 2 years: Yes No N/A **PSAP Name:** Does the PSAP currently meet the PSAP rules: Yes No If no, will the PSAP have to comply in 2 years: Yes N/A No **PSAP Name:** Does the PSAP currently meet the PSAP rules: Yes No

Yes

No

N/A

If no, will the PSAP have to comply in 2 years:



ORC §128.06 (A)

9-1-1 Program Office

§128.57: Is thi	s PSAP receiving funds directly and/or indirectly benefiting from county funds?
PSAP Name:	Medina County Sheriff's Office
	Yes 🗸 No 🗌
PSAP Name:	Wadsworth Police Department
	Yes 🚺 No 🗌
PSAP Name:	Brunswick Police Department
	Yes 🗸 No 🗌
PSAP Name:	Medina Police Department
	Yes 🗸 No
PSAP Name:	
	Yes No
PSAP Name:	Yes No
	res 140
PSAP Name:	
	Yes No No
PSAP Name:	
	Yes No
<b>50.5</b>	
PSAP Name:	Yes No
PSAP Name:	F
	Yes No

## Department of Administrative Services

#### County Final Plan for Counties following:

ORC §128.06 (A)

9-1-1 Program Office

You are permitted to have more or additional requirements for your PSAPS or even dispatch/calling centers in your respective county. This can include mandates related to training, providing EMD, complying with specific rules, etc. Please list any such additional local requirements and/or any comments you may have (you may use additional sheets if necessary):

EMD complaince for all dispatchers within first 6 months and must renew to keep certification active.

#### County Final Plan for Counties following: ORC §128.06 (A)



9-1-1 Program Office

Additional Local Requirements and/or Comments (cont):

EMD complaince for all dispatchers within first 6 months and must renew to keep certification active.

Department of Administrative Services

ORC §128.06 (A)

9-1-1 Program Office

§128.07(B)(1)(a): The 9-1-1 program review committee shall send a copy of the final plan to the following:

- Board of commissioners of the county
- The legislative authority of each municipal corporation in the county
- The board of township trustees of each township in the county.
   \*\*the above notifications must be sent either by certified mail or, if the committee has record of an internet identifier of record associated with the board or legislative authority, by ordinary mail and by that internet identifier of record

§128.07(B)(1)(b): The 9-1-1 program review committee shall also send a copy of the final plan to the board of trustees, directors, or park commissioners of each subdivision served by a PSAP under the plan.

§128.07(B)(2): The 9-1-1 program review committee shall also file a copy of its final plan with the Ohio 9-1-1 Program Office not later than April 3, 2024.

§128.07(B)(2): Any revisions or amendments made to the final plan shall be filed with the Ohio 9-1-1 Program Office not later than ninety (90) days after adoption.

§128.01(T): A final plan means a final plan adopted under §128.08(B) (and turned in on April 3, 2024 to the Ohio 9-1-1 Program Office) or as an amended final plan adopted under 128.12. (to reflect any changes made to the final plan after April 3, 2024)

§128.05: Please list the name and contact information for your County 9-1-1 Coordinator:

Jonelle Meredith, Director of Emergency Communications Medina County Sheriff's Office, 555 Independence Dr., Medina Oh 44256

§128.25: Please provide the name and contact information for your single point of contact with the 9-1-1 Program Office who has the authority to assist in location-data discrepancies, 9-1-1 traffic misroutes, and boundary disputes between PSAPS (does not have to be, but could be the same as the County 9-1-1 Coordinator listed above):

Jonelle Meredith,
Director of Emergency Communications
Medina County Sheriff's Office
555 Independence Dr
Medina Oh 44256



### County Final Plan for Counties following: ORC §128.06 (A)

9-1-1 Planning Committee Approval Acknowledgement

1.	Aaron Harrison		
	Board of County Commissioners Member or Designee, Cl	hairpers	son
	Signature:	Date:	03/06/2024
2.	Carl DeForest		
	Chief Executive Officer of most populous municipal corpor	ration in	the County
	Signature:		03/06/2024
3.	Sally Albrecht		<u>.</u>
	member of the board of township trustees of the most pop	alous t	ownship in the county
	as selected by majority vote of the board of trustees		
	Signature: Suity Allecabil	Date:	03/06/2024
			U-1
4.	Kimberly Bolas-Miller		Δ
••	member of a board of township trustees selected by the of		
	trustees in the county pursuant to resolutions they adopt	· Gjority	or von de errong
	Signature: Market Signature: M	Date:	03/06/2024
		Date.	03/00/2024
_	Dennie Simpson		
5.	Dennie Simpson		
	member of the legislative authority of a municipal corporation the majority of the legislative authorities of municipal corporations.		· · · · · · · · · · · · · · · · · · ·
	to resolutions they adopt	orano is	on the boding pursual
	Signature:	Date:	03/6/2024
6.	Sheriff Terry Grice		
	An elected official from within the county appointed by the	poard	cicounty
	commissioners		<del>- * **</del> ***
	Signature:	Date:	03/06/2024
		~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~	00/00/2024

REQUEST FOR COUNCIL

No. RCA 24-086-419 Finance Only

FROM: Nino Piccoli DATE: March 27, 2024

**SUBJECT: Expenditure Approval** 

#### **SUMMARY AND BACKGROUND:**

Respectfully requesting Council approval to replace the roof on Fire Station # 1(Shingle Section). The roof is irreparable. The scope of work involves removal of the existing roof stripped down to the decking, replacement of failed wooden decking, installation of ice guard replacement of shingles and ridge vents. The contractor performing the work upon approval is Chippewa Roofing.

Suggested Funding: \$24,400.00

Sufficient funds in Account No. TBD (Capital)

- Transfer needed from Account No. to Account No.
- NEW APPROPRIATION needed in Account No.

**Emergency Clause Requested: NO** 

Reason:

## COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord./Res. Date:



### CHIPPEWA ROOFING, LLC

P.O. Box 93 CHIPPEWA LAKE, OHIO 44215 PH: 330-769-3331

## **JOB ESTIMATE**

373

**Bob Duecker** 

TO:

MEDINA CITY HALL 132 N ELM MEDINA OHIO 44256

PHONE	DATE
	12/18/2023
IOB NAME / LOCATION	<del>*************************************</del>

FIRE STATION 1 SHINGLE SECTION

JOB DESCRIPTION

REMOVE PRESENT ROOF AND HAUL AWAY
REMOVE AND REPLACE ROTTEN DECKING (25 TO 30 SHEETS)
INSTALL ICE GUARD ON ENTIRE ROOF DECK
INSTALL SHINGLES AND RIDGE VENT

**ESTIMATED JOB COST** 

For the sum of

24,400.00

THIS ESTIMATE IS FOR COMPLETING THE JOB AS DESCRIBED ABOVE. IT IS BASED ON OUR EVALUATION AND DOES NOT INCLUDE MATERIAL PRICE INCREASES OR ADDITIONAL LABOR AND MATERIALS WHICH MAY BE REQUIRED SHOULD UNFORESEEN PROBLEMS OR ADVERSE WEATHER CONDITIONS ARISE AFTER THE WORK HAS STARTED.

NOTE: This estimate may be withdrawn by us if not accepted by

PHINTED IN U.S.A.

12/18/2023

ESTIMATED BY

PRODUCT 13126G US

USE WITH 771C ENVELOPE

Daluxe Corporation 1-800-328-0304 or www.deluxe.com/shap

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## REQUEST FOR COUNCIL ACTION

FROM: Nino Piccoli Sanitation Department DATE: March 29, 2024 No. RCA 24-087-4/9

Committee: Finance

SUBJECT: Purchase of a 2024 Freightliner114SD Plus Roll- Off Truck

#### **SUMMARY AND BACKGROUND:**

Respectfully requesting Council to authorize the bid and purchase of (1) one Freightliner 114SD Plus cab and Chassis complete with an Ampliroll 50K Hooklift System for the Sanitation Department. Upon approval this purchase will be made through the Ohio Department of Transportation State Bid process contract No. 023-24 from Valley Freightliner Sterling and Western Star, Inc.

**Estimated Cost: \$269,000.00** 

**Suggested Funding:** 

- sufficient funds in Account No. 514-0543-54417
- transfer needed from Account No.

To Account No.

• NEW APPROPRIATION needed in Account No.

**Emergency Clause Requested: NO** 

Reason:

Council Action Taken:

Ord./Res. Date: October 16, 2023

Valley Freightliner Sterling and Western Star. Inc 10901 Brook Park Rd. Parma, OH 44130

Re: 023-24

Single & Tandem Axle Cab and Chassis

Dear Vendor:

Your bid proposal as submitted has been accepted by the Ohio Department of Transportation.

This Invitation permits multiple awarded vendors to provide Single & Tandem Axle Cab and Chassis. The contract will be in effect from October 16, 2023 to October 31, 2024.

A purchase shall only take place upon the issuance of an official purchase order or the use of a payment card. There is no guarantee that purchase orders will be issued or that products will be ordered against issued purchase orders.

Thank you for bidding on our invitation. Todd VanKirk is available for any assistance necessary to ensure that a quality partnership exists between your company and our Department. If you have any questions, please call (614) 466-3209.

Respectfully,

Jack Marchbanks, Ph.D.

1. 4 A. 1.2

Director

**Ohio Department of Transportation** 

#### QUOTATION

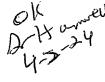
#### 114SD PLUS CONVENTIONAL CHASSIS

BALANCE DUE	(LOCAL CURRENCY)	\$ 269,000	\$	269,000
TRADE-IN ALLOWANCE		\$ (0)	\$	(0)
TRADE-IN				
OTHER CHARGES		\$ 0	\$	0
TAXES AND FEES		\$ 0	\$	0
TAXES AND FEES				
CUSTOMER PRICE BEFORE TAX		\$	\$	236,892
DEALER INSTALLED OPTIONS		\$ INCLUD	ΕĐ	INCLUDED
EXTENDED WARRANTY		\$	\$	
VEHICLE PRICE	TOTAL # OF UNITS (1)	\$ 269,000	\$	269,000
		PER UNIT		TOTAL

This vehicle/vehicles/chassis is proposed under Ohio Department of Transportation contract 023-24 cooperative pricing. Pricing is valid for Ohio municipal purchases and eligibility coincides with contract terms and dates. It is the responsibility of the purchasing entity to determine eligibility and request any permission for cooperative purchasing. Invoicing with payment terms will occur upon delivery of bare chassis within state borders and titles will be transferred and delivered promptly upon receipt of payment. If this is an order (not stock), please consult with your bodybuilder to ensure all dimensions, ratings, and necessary chassis components are included in this specification. The proposed vehicle/vehicles may or may not be available with a variety of safety and collision mitigation options in which the specifications will identify if it/they are included. All specifications and pricing are subject to final production, engineering review, availability, and manufacturer surcharges. A signed proposal or purchase order to this proposal thereby agrees to the pricing, specifications, and terms herein unless other arrangements are documented, but does not guarantee production. Stock vehicles and equipment are subject to availability.

APPROVAL:				
Please indicate your acceptance of this quotation by sign	ning below:			
Customer: X	Date:	1	1	





### **REQUEST FOR COUNCIL ACTION**

COMMITTEE RECOMMENDATION:

Council Action Taken:

NO. RCA 24-088-4/9 FROM: Greg Huber, Nino Piccoli, and Patrick Patton, DATE: April 2, 2024 SUBJECT: Medina Municipal Airport Consultant Selection The Federal Aviation Administration (FAA) requires the City to complete a Qualification Based Selection (QBS) every five (5) years in order to engage a qualified airport consultant to complete engineering and planning services on federally financed airport projects. This process requires the City to accept qualification statements from interested consultants, then review and rank them. The City then enters into contract negotiations with the consultant that is deemed most desirable. The qualification statements for this work were received on May 24th. Three firms submitted qualification statements, they are: **Delta Airport Consultants** The Thrasher Group, Inc. Our recommendation will be made to Council at the Finance Committee meeting. In order to meet the milestone dates required by the FAA, we will request that Council accept the recommendation and approve a general services agreement with the recommended airport consultant at their meeting on April 22, 2024... Thank you for your consideration. **ESTIMATED COST:** TBD SUGGESTED FUNDING: **TBD Sufficient Funds in Account Number:** Transfer Needed from Account Number: To Account Number: New Appropriation Account Number: **Emergency Clause Requested:** No Reason: COUNCIL USE ONLY:

Ord./Res. Number:

Date:

## REQUEST FOR COUNCIL ACTION

No. RCA 24-089-4 Committee: France

FROM:

MEDINA MUNICIPAL COURT

DATE:

**APRIL 3, 2024** 

SUBJECT: ORD 54-24 AND PROBATION OFFICER KEVIN ROSS

SUMMARY AND BACKGROUND: Medina Municipal Court respectfully requests Council to approve the following:

S+B Code 31.05 431.02. Add one (1) Probation Officer classification 7 A-F to Ordinance No. 54-24.

Additionally, Kevin Ross was hired as full-time Probation Officer on March 25, 2024, and we are requesting him to be compensated at Grade 7 Step C and paid from the General Fund 001-0705 retroactively.

Along with Kevin's pay rate the Court is requesting Kevin receive 1 week of vacation starting on March 25, 2024. After 30 years of service, Kevin retired as a Captain from the Medina County Sheriff's Department. Kevin's dedicated career to uphold the values of integrity, professionalism, and service to our community will be a significant asset to the Medina Municipal Court Probation Department.

#### **Estimated Cost:**

Suggested Funding: 001-0705

- sufficient funds in Account No.
- transfer needed from Account No. to Account No.
- NEW APPROPRIATION needed in Account No.

Emergency Clause Requested: Yes to Finance and Council

Reason: Kevin Ross date of hire 3/25/2024

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord./Res. Ord. 82-24
Date: 4.9-24

## IN THE MEDINA MUNICIPAL COURT MEDINA COUNTY, OHIO

#### IN THE MATTER OF APPOINTMENT OF FULL-TIME MEDINA MUNICIPAL COURT PROBATION OFFICER

## **ADMINISTRATIVE ORDER**

The Court hereby appoints Kevin Ross as full-time Probation Officer for Medina Municipal Court effective March 25, 2024. Kevin will be paid \$25.53 per hour under pay scale G7 Step C through general fund 001-0705. Kevin will be given 40 hours of vacation on his full-time start day of 03/25/2024. He does not need to wait the usual one-year period to use it. He will also accrue the usual 3.077 hours of vacation per pay period, and will need to wait the one-year period to use that time.

The Administrative Order issued on 03/26/2024 concerning this subject is hereby rescinded and is hereby deemed to have been of no effect *ab initio*.

GARY F. WERNER,

JUDGE

Date: 3

# IN THE MEDINA MUNICIPAL COURT MEDINA COUNTY, OHIO

IN THE MATTER OF THE OATH OF OFFICE OF PROBATION OFFICER FOR THE MEDINA MUNICIPAL COURT

#### ADMINISTRATIVE ORDER

On this 26<sup>th</sup> day of March 2024, KEVIN ROSS took the following oath of office duly administered by me as Judge of the Medina Municipal Court:

"I, KEVIN ROSS, duly appointed Probation Officer of the Medina Municipal Court, Medina County, Ohio, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Ohio, and faithfully and impartially perform all the duties incumbent upon me as Probation Officer of the Medina Municipal Court."

KEVIN ROSS

STATE OF OHIO )
ss
MEDINA COUNTY )

2874

Sworn to before me and subscribed in my presence this 2th day of March 2024.

GARY F. WERNER,

**JUDGE** 

2021, HAR 28 AM 8: 45

## IN THE MEDINA MUNICIPAL COURT MEDINA COUNTY, OHIO

IN THE MATTER OF APPOINTMENT OF FULL-TIME MEDINA MUNICIPAL COURT PROBATION OFFICER

### **ADMINISTRATIVE ORDER**

The Court hereby appoints Kevin Ross as a full-time Probation Officer for Medina Municipal Court effective March 25, 2024. Kevin will be paid \$24.31 per hour under pay scale G7 Step B through general fund 001-0705. Kevin will be given 40 hours of vacation on his full-time start day of 3/25/2024. He does not need to wait the usual one-year period to use it. He will also accrue the usual 3.077 hours of vacation per pay period, and will need to wait the one-year period to use that time.

GARY F. WERNER,

JUDGE

Date: \_ 3/26/24

#### Section 1901.33 | Court employees.

Ohio Revised Code / Title 19 Courts-Municipal-Mayor's-County / Chapter 1901 Municipal Court

Effective: June 30, 2006 Latest Legislation: House Bill 530 - 126th General Assembly

(A) The judge or judges of a municipal court may appoint one or more interpreters, one or more mental health professionals, one or more probation officers, an assignment commissioner, deputy assignment commissioners, and other court aides on a full-time, part-time, hourly, or other basis. Each appointee shall receive the compensation out of the city treasury that the legislative authority prescribes in either biweekly installments or semimonthly installments, as determined by the payroll administrator, except that in a county-operated municipal court they shall receive the compensation out of the treasury of the county in which the court is located that the board of county commissioners prescribes. Probation officers have all the powers of regular police officers and shall perform any duties that are designated by the judge or judges of the court. Assignment commissioners shall assign cases for trial and perform any other duties that the court directs.

The judge or judges may appoint one or more typists, stenographers, statistical clerks, and official court reporters, each of whom shall be paid the compensation out of the city treasury that the legislative authority prescribes, except that in a county-operated municipal court they shall be paid the compensation out of the treasury of the county in which the court is located that the board of county commissioners prescribes.

- (B) If a municipal court appoints one or more probation officers, those officers shall constitute the municipal court department of probation unless the court designates other employees as the department of probation for the court.
- (C) The chief probation officer may grant permission to a probation officer to carry firearms when required in the discharge of the probation officer's official duties if the probation officer has successfully completed a basic firearm training program that is approved by the executive director of the Ohio peace officer training commission. A probation officer who has been granted permission to carry a firearm in the discharge of the probation officer's official duties annually shall successfully complete a firearms requalification program in accordance with section 109.801 of the Revised Code.
- (D) The judge or judges of a municipal court in which the clerk of the court is elected as provided in division (A)(1)(a) or (d) or (A)(2)(b) of section 1901.31 of the Revised Code may appoint an administrative assistant. The administrative assistant shall have charge of personnel related matters of the court and shall perform any other administrative duties assigned by the court. The administrative assistant shall receive the compensation out of the city treasury that the court prescribes, except that, in a county-operated municipal court, the administrative assistant shall receive the compensation out of the treasury of the county in which the court is located that the court prescribes.

#### Available Versions of this Section

June 30, 2006 - House Bill 530 - 126th General Assembly

#### **ORDINANCE NO. 54-24**

AN ORDINANCE AMENDING SECTION 31.05 OF THE SALARIES AND BENEFITS CODE OF THE CITY OF MEDINA, OHIO RELATIVE TO THE MEDINA MUNICIPAL COURT, AND DECLARING AN EMERGENCY.

WHEREAS: Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio presently reads in part as follows pertaining to the Medina Municipal Court:

Number	Classification	Steps Authorized
1	Chief Probation Officer ****	16 A-F
1	Deputy Chief Probation Officer	9 A-F
1	Court Reporter	11 A-F
1	Probation Officer	7 A-F
1	Probation Secretary*	5 A-F
1	Assignment Commissioner	5 A-F
1	Building and Properties Custodian	31 A-F
1	Intensive Supervision Probation Officer**	Sec. 31.02(B)(6)
1	Probation Officer/Group Facilitator*****	Sec. 31.02(B)(6)
1	Court Security Officer*****(part/time)	Sec. 31.02(B)(5)
1	Building Custodian (part/time)	Sec. 31.02(B)(5)

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

SEC. 1: That Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio shall be amended to read in part as follows pertaining to the Medina Municipal Court:

<u>Number</u>	Classification	Steps Authorized
1	Chief Probation Officer ****	16 A-F
1	Deputy Chief Probation Officer	<del>9 A-F-</del> 10 A-F
1	Court Reporter	11 A-F
1	Probation Officer/Specialized Docket	<del>-7 A-F</del> 8 A-F
1	Probation Secretary*	5 A-F
1	Assignment Commissioner	5 A-F 6 A-F
1	Building and Properties Custodian	31 A-F
1	Intensive Supervision Probation Officer**	Sec. 31.02(B)(6)
1	Probation Officer/Group Facilitator*****	Sec. 31.02(B)(6)
1	Court Security Officer*****(part/time)	Sec. 31.02(B)(5)
1	Building Custodian (part/time)	Sec. 31.02(B)(5)

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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason this revision is **effective January 1, 2024**; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED:	March 11, 2024	SIGNED: John M. Coyne, III President of Counci	
ATTEST:	Kathy Patton Clerk of Council	APPROVED: March 12, 2024	
		SIGNED: Dennis Hanwell	
		Mayor	