

**CITY OF MEDINA
AGENDA FOR COUNCIL MEETING**

September 25, 2023
Medina City Hall – Council Rotunda
7:30 p.m.

Call to Order.

Roll Call.

Reading of minutes. (September 11, 2023)

Reports of standing committees.

Requests for council action.

Reports of municipal officers.

Notices, communications and petitions.

Liquor Permit:

Not to object to the transfer of a C1 and C2 permit from Free Enterprises Inc., dba Westside, Shell, 740 W. Liberty St. to True North Energy, LLC, dba True North #381, 740 W. Liberty St., Medina.

Unfinished business.

Introduction of visitors.

(speakers limited to 5 min.)

Introduction and consideration of ordinances and resolutions.

Motion to suspend the Rules requiring three readings on the following ordinances and resolutions: Ord. 149-23, Ord. 150-23, Ord. 151-23, Res. 152-23, Ord. 153-23, 154-23, Ord. 155-23

Ord. 149-23

An Ordinance amending Section 917.01, 917.03 and 917.05 of the codified ordinances of the City of Medina, Ohio relative to Water Service.

Ord. 150-23

An Ordinance authorizing the expenditure to Central Square Technologies for the subscription and annual maintenance agreement for the Computer Aided Dispatch & Report Management System for the Police Department.

(emergency clause requested)

Ord. 151-23

An Ordinance amending Section 31.02 (B)(5) of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Medina Municipal Court, Judicial Aid.

Medina City Council
September 25, 2023

Res. 152-23

A Resolution authorizing the filing of a grant application through the Ohio Department of Transportation's Municipal Bridge Program, for design services for the Prospect Street Bridge Replacement Project.

Ord. 153-23

An Ordinance amending Ordinance No. 116-23, passed July 10, 2023, relative to the expenditure to Technology Engineering Group LLC for the Courthouse Parking Garage Camera Project.
(emergency clause requested)

Ord. 154-23

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

Ord. 155-23

An Ordinance of the Council of the City of Medina, Ohio, certifying that when a municipal obligation was incurred sums were lawfully appropriated in the funds to satisfy the obligation and sufficient sums currently exist to satisfy this obligation.
(emergency clause requested)

Council comments.

Adjournment.

MEDINA CITY COUNCIL
Monday, September 11, 2023

**MAYOR DENNIS HANWELL – STATE OF THE CITY ADDRESS
6:30 PM – IN THE CITY COUNCIL ROTUNDA**

Call to Order:

Medina City Council met in regular session on Monday, September 11, 2023 at Medina City Hall. The meeting was called to order at 7:30 p.m. by Mr. Coyne, Council President, who also led in the Pledge of Allegiance.

Roll Call:

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

Also present were the following members of the Administration: Mayor Dennis Hanwell, Greg Huber, Keith Dirham, Nino Piccoli, Patrick Patton, Lt. Brian Wagner, Chief Walters, Dan Gladish, Jansen Wehrley, Sergeant Zarembo, Cindy Lastuka, and Andrew Dutton.

Minutes:

Mr. Shields moved that the minutes from the regular meeting on Monday, August 28, 2023, as prepared and submitted by the Clerk be approved, seconded by Mr. Simpson. The roll was called and passed by the yeas of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated the Finance Committee met prior to Council and will meet again in 2 weeks.

Public Properties Committee: Mr. Shields had no report.

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

Special Legislation Committee: Mr. Lamb had no report.

Streets & Sidewalks Committee: Ms. Haire had no report.

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

Emerging Technologies Committee: Mr. Rose had no report.

Requests for Council Action:

- 23-167-9/11 – Part-time Judicial Aid – Municipal Court
- 23-168-9/11 – CAD/RMS Annual Maintenance & Service – Police
- 23-169-9/11 – Budget Amendments
- 23-170-9/11 – Fund Advance Request
- 23-171-9/11 – Increase P.O. – Artistic Holiday Designs – Holiday Lights
- 23-172-9/11 – Application Grant Funds - Design Services – Prospect Street Bridge
- 23-173-9/11 – Increase P.O. #2023001429 – Courthouse Parking Garage Camera Project

Medina City Council
September 11, 2023

Reports of Municipal Officers:

Dennis Hanwell, Mayor,

- A. Medina Farmers' Markets takes place on public square on Saturdays through October 7th from 9 a.m. to 1 p.m. Thanks to Medina Main Street for organizing this ongoing event.
- B. Tunnels to Towers Race & Walk on Sunday, September 10th at 8 a.m. on Public Square went well and was well attended.
- C. 9/11 Memorial Ceremony was held at the Memorial adjacent to MFD Station 1 on Monday, September 11, 2023 at 10 a.m. to honor all first responders and public that perished this day 22 years ago.
- D. State of City was presented prior to Council meeting today and then to Greater Medina Chamber of Commerce on September 12 at 11:30 a.m. at Williams on the Lake.
- E. 3rd Annual We Are Stronger Together Medina Unity Gathering 7 p.m. on September 26th, 27th & 28th at Cornerstone Chapel, 3939 Granger Rd. in Medina.
- F. Tamara & Todd Harbaugh owner of the Uptown Shop and Michelle & James Murawski of Lumber Frogs Creations presented special plaques that were made to Fire Chief Larry Walters and Lt. Brian Wagner representing Chief Ed Kinney.

Keith Dirham, Finance Director, Mr. Dirham explained Issue 2 on the ballot this November, noting that a yes vote will be to adopt the ordinance that Council passed which is to adopt the culling program per Council's outlines, and a no vote would be to reject that ordinance. Keith stated there is a budget meeting Wednesday and a Utility Rate Review meeting on Thursday.

Kimberly Marshall, Economic Development Director, absent.

Greg Huber, Law Department, had no report.

Lt. Wagner, Police Department, had no report but thanked owners of Lumber Frogs Creations for the plaques.

Chief Walters, Fire Department, had no report but also thanked owners of Lumber Frogs Creations for the plaques.

Jansen Wehrley, Parks and Recreation Director, noted that the date for completion of the competition pool is Friday, September 15th. Monday, September 18, they plan to open the indoor competition pool with restrictions like limited access to certain areas. With weather changing and dropping into the low 60's and 40's at night, we will be closing the outdoor pool at Memorial Park and the splash pads. The Ray Mellert Dog Park will be opening in October and are waiting on a couple final site amenities to be installed and as a result of this park opening. The Memorial Dog Park will close in November.

Medina City Council
September 11, 2023

Dan Gladish, Building Official, had no report.

Nino Piccoli, Service Director, had no report.

Patrick Patton, City Engineer, had no report.

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

Notices, communications and petitions:

There were none.

Unfinished Business:

Ord. 123-23

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for Job #1154, Reagan Park Skatepark Rehabilitation. Mr. Shields moved for the adoption of Ordinance/Resolution No. 123-23, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 123-23, seconded by Mr. Simpson. Jansen Wehrley stated they are looking to address the surface of the concrete with this project. It is about 10,000 sq. ft. of concrete to be installed to address this surface issue and emergency clause is requested because the ramps are scheduled to be delivered March 1, 2024. The roll was called on adding the emergency clause and was approved by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 123-23 passed by the yea votes of J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and R. Haire.

Introduction of Visitors:

Bill Kuhar resides at 875 Gayer Dr. and came tonight to express his thoughts and is in favor of Issue 2 for the deer culling program and spoke to the safety of bow hunting. Hunting is considered safe for two reasons. 1. Education and 2. Prevention. All hunters in Ohio are required to take a Hunters' Safety Education Course. Take the time to educate yourself with the facts on bow hunting. The biggest risk is to the hunter themselves.

Mark Williams resides at 755 Lafayette Rd. He thanked council for their time and effort to do their due diligence and to invest in our holiday displays here in Medina

Introduction and consideration of ordinances and resolutions.

Motion to suspend the Rules requiring three readings on the following ordinances and resolutions: Ord. 123-23, Ord. 129-23, Res. 130-23, Ord. 131-23, Ord. 132-23, Ord. 133-23, Ord. 134-23, Ord. 135-23, Ord. 136-23, Ord. 137-23, Ord. 138-23, Ord. 139-23, Ord. 140-23, Ord. 141-23, Ord. 142-23, Ord. 143-23, Ord. 144-23, Ord. 145-23, Ord. 146-23, Ord. 147-23, and Ord. 148-23. Mr. Shields moved to suspend the rules requiring three readings, seconded by Mr. Simpson. The role was called and pass by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire and J. Hazeltine.

Ord. 129-23

An Ordinance ratifying the trade-in for credit of twenty-one Police Department duty rifles and nine firearms acquired from forfeiture to Shawn Cheshier/The Silencer Shack for the Medina Police Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 129-23, seconded by Mr. Simpson. Lt. Wagner stated this is for the trade-in credit for firearms at the Silencer Shack. The roll was called and Ordinance/Resolution No. 129-23 passed by the yeas of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb.

Res. 130-23

A Resolution accepting the grant award from the Ohio Department of Mental Health & Addition Services Specialized Docket Subsidy Project Funding Grant for the Medina Municipal Court Veteran's Treatment Court. Mr. Shields moved for the adoption of Ordinance/Resolution No. 130-23, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 130-23, seconded by Mr. Simpson. Cindy Lastuka stated this is a grant and they were awarded \$75,000 and the emergency is because the money will be here in a week or two. The roll was called on adding the emergency clause and was approved by the yeas of D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 130-23 passed by the yeas of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose.

Ord. 131-23

An Ordinance adopting a Disaster Recovery Plan for the City of Medina, Ohio. Mr. Shields moved for the adoption of Ordinance/Resolution No. 131-23, seconded by Mr. Simpson. Darin stated our current plan is outdated and needed updated. Auditors and insurance companies want to know that we have one in place. Darin thanked everyone that was involved in getting this together to update and make changes. The roll was called and Ordinance/Resolution No. 131-23 passed by the yeas of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 132-23

An Ordinance authorizing the payment to Green Home Solutions for the Private Home Rehabilitation at 13 Plymouth Street as part of the PY22 CHIP Grant Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 132-23, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 132-23, seconded by Mr. Simpson. Andrew stated this is the first of 3 CHIP private home rehabilitation projects. This is for 13 Plymouth St. and is for \$55,470.00. Emergency due as contractor is ready to go and would like to get the work done as soon as possible. The roll was called on adding the emergency clause and was approved by the yeas of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 132-23 passed by the yeas of J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and R. Haire.

Ord. 133-23

An Ordinance authorizing the payment to Green Home Solutions for the Private Home Rehabilitation at 342 Foundry Street as part of the PY22 CHIP Grant Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 133-23, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 133-23, seconded

Medina City Council
September 11, 2023

by Mr. Simpson. This grant is for \$39,675.00. Emergency is to pay contractor. The roll was called on adding the emergency clause and was approved by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire and J. Hazeltine. The roll was called and Ordinance/Resolution No. 133-23 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb.

Ord. 134-23

An Ordinance authorizing the payment to Green Home Solutions for the Private Home Rehabilitation at 1495 McKinley Avenue, Brunswick, as part of the PY22 CHIP Grant Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 134-23, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 134-23, seconded by Mr. Simpson. Andrew stated the grant was for \$65,645.00. The roll was called on adding the emergency clause and was approved by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose. The roll was called and Ordinance/Resolution No. 134-23 passed by the yea votes of D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields.

Ord. 135-23

An Ordinance authorizing the purchase of one (1) truck mounted vacuum excavator, mounted on a 2023 Kenworth T480 cab and chassis from Vermeer All Roads to be used by the Water and Street Departments. Mr. Shields moved for the adoption of Ordinance/Resolution No. 135-23, seconded by Mr. Simpson. Mr. Piccoli stated this is a hydro vac and uses high pressure water to liquify the soil where the excavation site is and then gets vacuumed up. The roll was called and Ordinance/Resolution No. 135-23 passed by the yea votes of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 136-23

An Ordinance authorizing the purchase of one (1) Full ODOT bucket truck build out with a Stahl body on Ford F-550 cab and chassis from MTech Company, to be used by the Street Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 136-23, seconded by Mr. Simpson. Mr. Piccoli stated this is replacing a 1997 model. The roll was called and Ordinance/Resolution No. 136-23 passed by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 137-23

An Ordinance amending Ordinance No. 32-23, passed February 13, 2023 relative to the expenditure to Goodyear Tire and Rubber Company. Mr. Shields moved for the adoption of Ordinance/Resolution No. 137-23, seconded by Mr. Simpson. Nino stated this is to increase the P.O. for the Sanitation Dept. to get through the end of the year. The roll was called and Ordinance/Resolution No. 137-23 passed by the yea votes of J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and R. Haire.

Ord. 138-23

An Ordinance authorizing the Mayor to accept the Storm Water Operation and Maintenance Agreement (SWOMA) from Ravago Real Estate USA 2 LLC, for a newly

Medina City Council
September 11, 2023

installed storm water detention system. Mr. Shields moved for the adoption of Ordinance/Resolution No. 138-23, seconded by Mr. Simpson. Mr. Patton stated the Ohio EPA requires them to enter into these agreements with builders and project owners when they install a storm water facilities management structure. The roll was called and Ordinance/Resolution No. 138-23 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire and J. Hazeltine.

Ord. 139-23

An Ordinance authorizing the Mayor to execute a Letter of Intent with the Friends of the Cemetery relative to the Mausoleum Repair Project at Spring Grove Cemetery. Mr. Shields moved for the adoption of Ordinance/Resolution No. 139-23, seconded by Mr. Simpson. Jansen stated they discovered that the mausoleum has a roof leak that has to be addressed. FOC will cover costs. The roll was called and Ordinance/Resolution No. 139-23 passed subject to the law director's approval and a building project agreement, by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb.

Ord. 140-23

An Ordinance authorizing the purchase and installation of two (2) Dual Port Electric Vehicle Charging Stations (EVCS) from EV United, for the City Hall Parking Deck. Mr. Shields moved for the adoption of Ordinance/Resolution No. 140-23, seconded by Mr. Simpson. Mr. Patton stated this will allow them to purchase and install two (2) dual port electric vehicle charging stations. Total cost is \$38,500.00 and \$30,000.00 is coming from an Ohio EPA grant they received. The roll was called and Ordinance/Resolution No. 140-23 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose.

Ord. 141-23

An Ordinance to amend the codified ordinances of the City of Medina, Ohio, Chapter 943.06, Sections (e) and (l), and Chapter 943.11, Schedule of Charges and Fees, pertaining to the installation of Private Mausoleums at Spring Grove Cemetery. Mr. Shields moved for the adoption of Ordinance/Resolution No. 141-23, seconded by Mr. Simpson. Jansen stated this will authorize some changes to the rules and regulations. The roll was called and Ordinance/Resolution No. 141-23 passed by the yea votes of D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields.

Ord. 142-23

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the Spring Grove Cemetery Columbarium Wall Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 142-23, seconded by Mr. Simpson. Jansen stated this will authorize the construction of their third columbarium wall at Spring Grove. The roll was called and Ordinance/Resolution No. 142-23 passed by the yea votes of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 143-23

An Ordinance authorizing the Mayor to advertise for the auction, sale or disposal of city equipment and vehicles no longer in use. Mr. Shields moved for the adoption of

Medina City Council
September 11, 2023

Ordinance/Resolution No. 143-23, seconded by Mr. Simpson. Nino noted the auction is scheduled for Saturday, October 28th at the city garage located at 781 West Smith rd. Viewing is a 9am and the auction begins at 10am. The roll was called and Ordinance/Resolution No. 143-23 passed by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 144-23

An Ordinance waiving the special assessment fees for sidewalks for certain parcel numbers on Prospect Street and West Smith Road. Mr. Shields moved for the adoption of Ordinance/Resolution No. 144-23, seconded by Mr. Simpson. The roll was called and Ordinance/Resolution No. 144-23 passed by the yea votes of J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and R. Haire.

Ord. 145-23

An Ordinance authorizing the Finance Director to waive certain uncollectible utility accounts. Mr. Shields moved for the adoption of Ordinance/Resolution No. 145-23, seconded by Mr. Simpson. Keith stated they will be waiving \$46,500.00. \$26,000.00 in bankrupt and sheriff sales that we are not allowed permitted to go after. \$4,200.00 of which were under \$50 that were judged not to be worth going after and about \$19,000.00 in change of owner accounts. Mr. Coyne stated they are having another discussion on additional funds to be waived as it relates to bankruptcies and other things – to be discussed at the next finance meeting. The roll was called and Ordinance/Resolution No. 145-23 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Hazeltine.

Ord. 146-23

An Ordinance authorizing the Mayor to enter into an agreement with OC-SMA LLC, owner of Medina Supply, to allow for public parking on Permanent Parcel Nos. 028-19D-01-021 and 028-19D-01-018. Mr. Shields moved for the adoption of Ordinance/Resolution No. 146-23, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 146-23, seconded by Mr. Simpson. Mr. Dutton stated this is to allow public parking at a portion of the Medina Supply lot on the east side of South Broadway St. just north of the railroad tracks. This would open 27 public spaces and the agreement would be for two years. Fencing and signage improvements will be done. Emergency is requested to set this in motion as soon as possible. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb. The roll was called and Ordinance/Resolution No. 146-23 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose.

Ord. 147-23

An Ordinance amending Ordinance No. 221-22, passed December 12, 2022. (Amendments to 2023 Budget) Mr. Shields moved for the adoption of Ordinance/Resolution No. 147-23, seconded by Mr. Simpson. Mr. Dirham stated in Ord. 142-23 council authorized a project for Columbarium Wall and this is how we are paying for that. The roll was called and Ordinance/Resolution No. 147-23 passed by the yea votes of D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields.

Medina City Council
September 11, 2023

Ord. 148-23

An Ordinance authorizing the Finance Director to make certain fund advances. Mr. Shields moved for the adoption of Ordinance/Resolution No. 148-23, seconded by Mr. Simpson. Keith stated this is the advance to make for the appropriation. The roll was called and Ordinance/Resolution No. 148-23 passed by the yeas of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Council Comments:

Dennie Simpson extended his deepest sympathy to Kimberly and the entire Marshall family for their loss. Please be kind to one another, life is short.

Jessica Hazeltine echoed Dennie with sympathy to Kimberly and family / sending warm thoughts. Happy to see council candidates here tonight.

Mr. Rose sends deepest sympathy to Kimberly Marshall and family.

Mr. Lamb – Sympathies to Kimberly and the Marshall family.

John Coyne expressed his condolences to Mrs. Marshall.

Adjournment

There being no further business, the meeting adjourned at 8:16 p.m.

Kathy Patton, Clerk of Council

John Coyne, President of Council

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
8606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

90739950875 <small>PERMIT NUMBER</small>		TRFO <small>TYPE</small>	TRUE NORTH ENERGY LLC DBA TRUE NORTH #381 740 W LIBERTY ST MEDINA OHIO 44256
10	01	2022 <small>ISSUE DATE</small>	
08	25	2023 <small>FILING DATE</small>	
C1 C2 <small>PERMIT CLASSES</small>			
52	077	C	F30044 <small>RECEIPT NO.</small>

FROM 09/13/2023

29049730030 <small>PERMIT NUMBER</small>			FREE ENTERPRISES INC DBA WESTSIDE SHELL 740 W LIBERTY ST MEDINA OHIO 44256
10	01	2022 <small>ISSUE DATE</small>	
08	25	2023 <small>FILING DATE</small>	
C1 C2 <small>PERMIT CLASSES</small>			
52	077		<small>RECEIPT NO.</small>



MAILED 09/13/2023

RESPONSES MUST BE POSTMARKED NO LATER THAN. 10/16/2023

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

C TRFO 9073995-0875

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF MEDINA CITY COUNCIL
132 NORTH ELMWOOD AVENUE
MEDINA OHIO 44256

ORDINANCE NO. 149-23**AN ORDINANCE AMENDING SECTION 917.01, 917.03 AND 917.05 OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO RELATIVE TO WATER SERVICE.**

WHEREAS: That Section 917.01 of the codified ordinances of the City of Medina, Ohio presently reads as follows, relative to Water Service.

917.01 DEFINITION.

"Water service" means the supplying of water through a three-fourths inch pipe to a one-family residence and appurtenances, including only water supply for one family's use and for livestock that is kept on such premises, but does not include the filling of cisterns, wells or temporary containers, irrigation, sprinkling, cooling or for transportation from such premises by vehicles, pipe lines or otherwise by any person including the person to whom a water service license is granted by an ordinance.

(Ord. 62-57. Passed 10-28-57.)

WHEREAS: That Section 917.03 of the codified ordinances of the City of Medina, Ohio presently reads as follows:

917.03 DISCONNECTION FOR NONPAYMENT OR VIOLATION; RECONNECTION CHARGES; DEPOSITS.**(a) Establishing Utility Service.**

(1) Where service is being established for a new utility user who utilizes water and rubbish service, a deposit of one hundred dollars (\$100.00) shall be collected by the Director of Finance. As an alternative to a deposit, the owner of the property may take responsibility for the City utilities by signing a form prescribed by the City.

(2) Where service is being established for a new utility user who utilizes rubbish only, a deposit equal to a three-month bill shall be estimated and collected by the Director of Finance. The deposit shall be held in trust until such time as the account is finalized. (Ord. 91-03. Passed 7-14-03.)

(b) Disconnection; Reconnection Charges; Deposits.

(1) Water service shall be discontinued temporarily by order of the Director of Public Service or his authorized agent for failure to pay for water service or for any suspected violation of rules, regulations, rulings or authorizations hereinabove set forth. Council may permanently revoke a water service license, by resolution, upon a showing to its satisfaction that any rule, regulation or order as hereinabove set forth or as may hereafter be adopted has been or is being violated by any person using water service with or without consent of the owner of the real property being served.

(2) Water service disconnections shall be suspended from March 15, 2020 to July 31, 2020 due to economic disruptions resulting from the COVID-19 pandemic that has caused the Governor of the State of Ohio to declare an emergency. Water users will continue

- to be billed at the normal rate for water usage during the time period named hereinafter, which shall include charges for interest and penalties.
- (3) A fee of fifty dollars (\$50.00) shall be charged to users who have been certified for temporary disconnection.
 - (4) Where service has been certified for temporary discontinuation on a residential account for failure to pay utility services, a one hundred dollar (\$100.00) deposit shall be collected by the Director of Finance before service shall be restored. The deposit shall be held in trust until such time as the discontinued account is finalized.
 - (5) Where service has been certified for temporary discontinuation on a commercial account for failure to pay for utility services, a deposit equal to a three-month bill shall be estimated and collected by the Director of Finance before service shall be restored. The deposit shall be held in trust until such time as the discontinued account is finalized.
 - (6) When two or more meters have been provided to a property which has a single service line and one or more of the users has been certified for temporary discontinuation of service, the City shall offer the owner one of the following four options:
 - A. The landowner may receive the bill for the single service, including the current delinquency, in his or her name.
 - B. The landowner may provide a service line to each one of the meters at the property, thus providing separate billings and separate collection on each.
 - C. The landowner may take responsibility for the tenant's bill in the event of nonpayment.
 - D. The City shall discontinue utility services.
- (Ord. 62-20. Passed 3-18-20; Ord. 132-20. Passed 7-13-20.)

WHEREAS: That Section 917.05 of the codified ordinances of the City of Medina, Ohio presently reads as follows:

917.05 CHARGES A LIEN; SERVICE DISCONNECTION.

(a) Each water charge levied pursuant to this chapter is hereby made a lien upon the premises charged therewith and if the same is not paid within thirty days after it becomes due and payable it shall be certified to the County Auditor, who shall place the sum on the tax duplicate with interest and penalties allowed by law, and be collected as other municipal taxes are collected. The City shall have the right in the event of nonpayment as aforesaid to discontinue water service to the premises until the unpaid water charges have been fully paid.

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

SEC. 1: That Section 917.01 of the codified ordinances of the City of Medina, Ohio shall be amended to read as follows:

917.01 DEFINITION.

"Water service" means the supplying of water through a three-fourths inch or larger pipe to a one-family residence and appurtenances, including only water supply for one family's use and for livestock that is kept on such premises, but does not include the filling of cisterns, wells or temporary containers, irrigation, sprinkling, cooling or for transportation from such premises by vehicles, pipe lines or otherwise by any person including the person to whom a water service license is granted by an ordinance.

SEC. 2: That Section 917.03 of the codified ordinances of the City of Medina, Ohio shall be amended to read as follows:

917.03 DISCONNECTION FOR NONPAYMENT OR VIOLATION; RECONNECTION CHARGES; DEPOSITS.

(a) Establishing Utility Service.

- (1) Where service is being established for a new utility user who utilizes water and rubbish service, a deposit of ~~one hundred dollars (\$100.00)~~ **two hundred dollars (\$200.00)** shall be collected by the Director of Finance. **The deposit shall be held in trust until such time as the account is finalized.** ~~As an alternative to a deposit, the owner of the property may take responsibility for the City utilities by signing a form prescribed by the City.~~
- (2) Where service is being established for a new utility user who utilizes rubbish only, a deposit equal to a three-month bill, **not less than \$200,** shall be estimated and collected by the Director of Finance. The deposit shall be held in trust until such time as the account is finalized.

(b) Disconnection; Reconnection Charges; Deposits.

- (1) Water service shall be discontinued temporarily by order of the Director of ~~Public Service~~ **Finance** or his **an** authorized agent for failure to pay for water service or for any suspected violation of rules, regulations, rulings or authorizations hereinabove set forth. Council may permanently revoke a water service license, by resolution, upon a showing to its satisfaction that any rule, regulation or order as hereinabove set forth or as may hereafter be adopted has been or is being violated by any person using water service with or without consent of the owner of the real property being served.
- (2) Water service disconnections shall be suspended from March 15, 2020 to July 31, 2020 due to economic disruptions resulting from the COVID-19 pandemic that has caused the Governor of the State of Ohio to declare an emergency. Water users will continue to be billed at the normal rate for water usage during the time period named hereinafter, which shall include charges for interest and penalties.
- (3) A fee of fifty dollars (\$50.00) shall be charged to users who have been certified for temporary disconnection.
- (4) Where service has been certified for temporary discontinuation on a residential **utility** account for failure to pay utility services, a ~~one hundred dollar (\$100.00)~~ deposit **equal but not more than two hundred dollars (\$200.00)** shall be collected by the Director of Finance before service shall be restored. The deposit shall be held in trust until such time as the discontinued account is finalized.
- (5) Where service has been certified for temporary discontinuation on a commercial account for failure to pay for utility services, a deposit equal to a three-month bill **and no less than two hundred dollars (\$200.00)** shall be estimated and collected by the Director of Finance before service shall be restored. The deposit shall be held in trust until such time as the discontinued account is finalized.
- (6) When two or more meters have been provided to a property which has a single service line and one or more of the users has been certified for temporary discontinuation of service, the City shall offer the owner one of the following four options:
 - (A) The landowner may receive the bill for the single service, including the current delinquency, in his or her name.

- (B) The landowner may provide a service line to each one of the meters at the property, thus providing separate billings and separate collection on each.
- (C) The landowner may take responsibility for the tenant's bill in the event of nonpayment.
- (D) The City shall discontinue utility services.

SEC. 3: That Section 917.05 of the codified ordinances of the City of Medina, Ohio shall be amended to read as follows:

917.05 CHARGES A LIEN; SERVICE DISCONNECTION.

(a) ~~Each water charge levied pursuant to this chapter is hereby made a lien upon the premises charged therewith and if the same is not paid within thirty days after it becomes due and payable it shall be certified to the County Auditor, who shall place the sum on the tax duplicate with interest and penalties allowed by law, and be collected as other municipal taxes are collected.~~ **Any unpaid final water utility bill will be certified to the property through the Medina County Auditor's office who shall place the sum on the tax duplicate with interest and penalties allowed by law and be collected as other municipal taxes are collected. Annually, the Director of Finance shall qualify the previous calendar year's delinquent accounts to be submitted to the County Auditor prior to the end of the following calendar year as per the County Auditor's timetable.** The City shall have the right in the event of nonpayment as aforesaid to discontinue water service to the premises until the unpaid water charges have been fully paid.

(b) 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.

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

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

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

Effective date:

ORDINANCE NO. 150-23

AN ORDINANCE AUTHORIZING THE EXPENDITURE TO CENTRAL SQUARE TECHNOLOGIES FOR THE SUSSCRIPTION AND ANNUAL MAINTENANCE AGREEMENT FOR THE COMPUTER AIDED DISPATCH & REPORT MANAGEMENT SYSTEM FOR THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

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

- SEC. 1:** That the expenditure to Central Square Technologies for the subscription and annual maintenance Agreement for the Police Department Computer Aided Dispatch & Report Management System, is hereby authorized.
- SEC. 2:** That the funds to cover this expenditure in the amount of \$36,860.04 are available in Account No. 106-0102-52215.
- SEC. 3:** That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director's certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.
- SEC. 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 the invoice is currently due to be paid; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 151-23

AN ORDINANCE AMENDING SECTION 31.02 (B) (5) OF THE SALARIES AND BENEFITS CODE OF THE CITY OF MEDINA, OHIO RELATIVE TO THE MEDINA MUNICIPAL COURT, JUDICIAL AID.

WHEREAS: Section 31.02 (B)(5) of the Salaries and Benefits Code of the City of Medina, Ohio presently reads in part as follows pertaining to the Municipal Court:

(B) **PART-TIME EMPLOYEES.** (Part-time positions may not be filled for more than 29 hours in any week.)

(5) **MUNICIPAL COURT**

	<u>Hourly Rate</u>
Court Security Officers**	Pay Grade 6A
Building Custodian	Pay Grade 55A

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

SEC. 1: That Section 31.02 (B)(5) of the Salaries and Benefits Code of the City of Medina, Ohio shall be amended to read in part as follows pertaining to the Municipal Court:

(5) **MUNICIPAL COURT**

	<u>Hourly Rate</u>
Court Security Officers**	Pay Grade 6A
Building Custodian	Pay Grade 55A
Judicial Aid *	O.R.C. 1901.33 (\$18.00/hr.)

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

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

PASSED: _____ **SIGNED:** _____
President of Council

ATTEST: _____ **APPROVED:** _____
Clerk of Council

SIGNED: _____
Mayor

RESOLUTION NO. 152-23

A RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION'S MUNICIPAL BRIDGE PROGRAM FOR DESIGN SERVICES FOR THE PROSPECT STREET BRIDGE REPLACEMENT PROJECT.

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

- SEC. 1:** That the Mayor is hereby authorized and directed to file an application for grant assistance through (ODOT), the Ohio Department of Transportation's Municipal Bridge Program, for design services for the Prospect Street Bridge Replacement Project.
- SEC. 2:** That if the Grant is awarded the Mayor is hereby authorized to accept the Grant and complete all documentation for the implementation and administration of the Grant.
- SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 4:** That this Resolution shall be in full force and effect at the earliest period allowed by law.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

ORDINANCE NO. 153-23

AN ORDINANCE AMENDING ORDINANCE NO. 116-23, PASSED JULY, 10, 2023, RELATIVE TO THE EXPENDITURE TO TECHNOLOGY ENGINEERING GROUP, LLC FOR THE COURTHOUSE PARKING GARAGE CAMERA PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS: Ordinance No. 116-23, passed July 10, 2023, authorized an expenditure to Technology Engineering Group, LLC in the amount of \$60,909.20 (\$30,454.60 City Share / \$30,454.60 County to reimburse) from Account No. 388-0714-53315 for the Courthouse Parking Garage Camera Project:

WHEREAS: It has become necessary to increase P.O. #2023001429 by \$3,254.00, for a new total of \$64,163.20 (half to be paid by the City and half by the County).

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

SEC. 1: That Ordinance No. 116-23, passed July 10, 2023, is hereby amended reflect the increase of \$3,254.00 to Purchase Order #2023001429, Technology Engineering Group, LLC, from Account No. 388-0714-53315. (Half of this cost is to be reimbursed by the County)

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

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

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

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 154-23

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

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

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

<u>Account No./Line Item</u>	<u>Additions</u>
143-0748-52214 (Economic Development-Advertising)	500.00 *
107-0110-53313 (Fire Donation)	10,000.00 *

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

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

* - new appropriation

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 155-23

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MEDINA, OHIO, CERTIFYING THAT WHEN A MUNICIPAL OBLIGATION WAS INCURRED SUMS WERE LAWFULLY APPROPRIATED IN THE FUNDS TO SATISFY THE OBLIGATION AND SUFFICIENT SUMS CURRENTLY EXIST TO SATISFY THIS OBLIGATION, AND DECLARING AN EMERGENCY.

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

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

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

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

SEC. 2: That the Finance Director is authorized to draw warrants for the payment of Invoice #1328827 from Rea & Associates for costs in excess of original contract amount, and is authorized to open a purchase order to pay for this increase.

SEC. 3: That the funds to cover this expenditure in the amount of \$4,788.00 are available in Account No. 001-0707-52226.

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 because of the immediate need for the authorization of expenditures, this Resolution shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor