

THE UNDERSIGNED, CLERK OF THE COUNCIL OF THE CITY OF MEDINA, OHIO, HEREBY CERTIFIES THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE-RESOLUTION NO. 134-24 ADOPTED BY THE COUNCIL ON 7-8-24
Kathy Patton
CLERK OF COUNCIL

fully executed
RCA 24-139-6/24

ORDINANCE NO. 134-24

AN ORDINANCE AMENDING ORDINANCE NO. 108-23, PASSED AUGUST 28, 2023, AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO LEASE AGREEMENT BETWEEN THE MEDINA COUNTY BOARD OF COMMISSIONERS AND THE CITY OF MEDINA FOR THE LEASE OF A PORTION OF THE MEDINA COUNTY COURTHOUSE COMPLEX KNOWN AS THE 1969 COURTHOUSE.

WHEREAS: Both parties wish to enter into an Amendment to Lease Agreement, amending Ord. 108-23, passed August 28, 2023 regarding the Lease Agreement between Medina County Board of Commissioners and the City of Medina, for the operation of the Medina Municipal Court.

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

SEC. 1: That the Mayor is hereby authorized to execute an Amendment to Lease Agreement between the City of Medina, Ohio and the Medina County Board of Commissioners pertaining to the lease of a portion of the Medina County Courthouse Complex known as the 1969 Courthouse for the public purpose of operating the Medina Municipal Court and amending Ordinance No. 108-23, passed August 28, 2024.

SEC. 2: That a copy of the Amendment to Lease Agreement is marked Exhibit A, attached hereto and incorporated herein.

SEC. 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this 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 in full force and effect at the earliest period allowed by law.

PASSED: July 8, 2024

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: July 9, 2024

SIGNED: Dennis Hanwell
Mayor

ORD. 134-24
Exh. A

AMENDMENT TO LEASE AGREEMENT

This "Amendment" is made and entered into as of this 25th day of June, 2024, by and between **THE BOARD OF COUNTY COMMISSIONERS, MEDINA COUNTY, OHIO**, (referred to as the "County"), and the **CITY OF MEDINA, OHIO** (referred to as the "City").

RECITALS:

WHEREAS, the Lease Agreement executed by the County on October 3, 2023, and executed by the City on September 28, 2023, is hereby amended as follows:

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein set forth, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

2.1 Lease Term.

(a) The initial term ("Initial Term") of this Lease shall be for thirty-three (33) years commencing on July 1, 2024, with the exception of charges for security costs, which shall be described hereinafter in this Amendment to Lease Agreement. The parties agree that the County will invoice the City quarterly for lease-related charges.

2.2 Rent, Security Cost and Casualty Insurance Cost.

2.2.2 (a) Security Cost. Due to the need for a shared security entry point for the 1969 Courthouse and the 2023 Courthouse, the City shall pay the County twenty percent (20%) of the cost for security located at the security checkpoint area in the 2023 Courthouse. The security staffing configuration at the security checkpoint area currently consists of two deputies and one sergeant, and the City's current annual share of the cost of this configuration is estimated at Seventy Thousand Dollars (\$70,000). The City shall be responsible for paying the cost of security upon the City's occupancy and use of the 1969 Courthouse for Medina Municipal Court operations. Occupancy and use of the 1969 Courthouse for Medina Municipal Court operations means when any employee(s) of the City of Medina and/or the Medina Municipal Court begin to carry out their day to day job functions at the Premises regardless of whether the renovations of the Premises have been completed. The parties hereto agree that in exchange for deferring security costs until the City actually occupies and uses the 1969 Courthouse for Medina Municipal Court operations, the City will permit the County to retain possession of the existing boilers located in the 1969 Courthouse if in fact new boilers are installed during renovation of the 1969 Courthouse.

(b) Any change the County makes in the configuration and cost of checkpoint security shall be done in consultation with the City, and the cost adjusted accordingly. The City shall provide separate security in a form approved by the County at the City's own expense for any events or use of the process beyond the operational hours of the County Court.

(c) The parties hereto agree that the Medina Municipal Court staff will use the same staff entrance as the Medina County Common Pleas Court staff. If the Medina Municipal Court decides or creates a separate employee entrance, both parties agree that the City will be responsible for one hundred percent (100%) of the security costs of the newly created employee entrance for Medina Municipal Court staff members. Any such separate entrance must be approved by the County before it may be used. The Medina County Sheriff shall control the security for any and all entrances to the 1969 Courthouse.

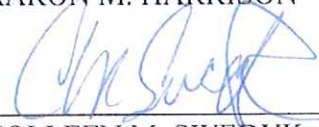
The parties agree that all of the remaining terms of the Lease Agreement originally entered into between the parties on October 3, 2023, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment to Lease Agreement as of the date first written above.

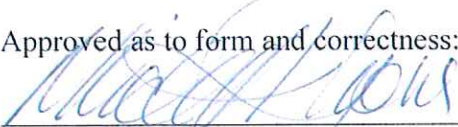
**COUNTY:
THE MEDINA COUNTY, OHIO, BOARD
OF COUNTY COMMISSIONERS**

By: _____
STEPHEN D. HAMBLEY, President

By:  _____
AARON M. HARRISON

By:  _____
COLLEEN M. SWEDYK

Approved as to form and correctness:

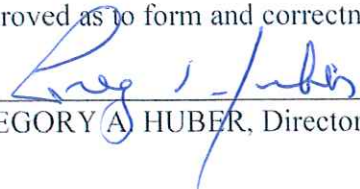


MICHAEL K. LYONS, Assistant Prosecuting Attorney

**CITY:
CITY OF MEDINA, OHIO**

By:  _____
DENNIS HANWELL, Mayor 8/8/24

Approved as to form and correctness:



GREGORY A. HUBER, Director of Law

REGULAR MEETING – TUESDAY, JUNE 25, 2024

The Board of County Commissioners of Medina County, Ohio, met in regular session on this date with the following members present:

Aaron M. Harrison

Colleen M. Swedyk

Mrs. Swedyk offered the following resolution and moved the adoption of same, which was duly seconded by Mr. Harrison.

RESOLUTION NO. 24-0497

**AMENDING A LEASE AGREEMENT WITH THE CITY OF MEDINA FOR THE USE OF
THE 1969 MEDINA COUNTY COURTHOUSE FOR THE OPERATION OF THE
MEDINA MUNICIPAL COURT**

WHEREAS, the Medina County Board of Commissioners and the City of Medina previously entered into a lease agreement which was executed through Resolution 23-0804 for the relocation of the Medina Municipal Court from its current location to the 1969 County Courthouse Building located at 93 Public Square, and

WHEREAS, the Medina County Board of Commissioners and the City of Medina wish to amend the lease agreement with new terms commencing on July 1, 2024, and

WHEREAS, the amended lease agreement as specified in Exhibit A, would defer security expenses paid to the Medina County Board of Commissioners until after the Medina Municipal Court takes occupancy of the 1969 Courthouse for operations, and

WHEREAS, the parties agree that in exchange for deferring security expenses, the City will permit the County to retain possession of the existing boiler system located within the 1969 Courthouse should a new system be installed during the renovation project, and

WHEREAS, the parties also agree that the Medina Municipal Court staff shall utilize the existing staff entrance at the courthouse complex unless other subsequent arrangements are negotiated between the parties.

NOW, THEREFORE, BE IT RESOLVED the Medina County Board of Commissioners hereby approves the amended lease agreement and all terms and conditions with the City of Medina as specified in Exhibit A.

Voting AYE thereon: Mrs. Swedyk and Mr. Harrison

Adopted: June 25, 2024

Prepared by: Assistant County Administrator

The Clerk of the Board of County Commissioners
of Medina County, Ohio does hereby certify
that the foregoing is a true and correct copy
of the resolution adopted by said board

on 6/25/24
Rhonda J. Beck