

FINANCE COMMITTEE AGENDA
September 23, 2024
Council Rotunda

Finance Committee (6:00 p.m.)

1. Assignment of Requests for Council Action
2. 24-189-9/9 – Ratify 1976 Agreement w/ Commissioners
3. 24-191-9/23 – Budget Amendments
 - a. #2024-045 – Parking Review Employee, Donation, Sale, ARPA
4. 24-192-9/23 – Incr. Exp. to Rogue Fitness (dba Coulter Ventures, LLC)
5. 24-193-9/23 – Exp. Over \$20,000 – Pioneer Waterproofing PY22 CHIP
6. 24-194-9/23 – Amend Ord. 128-24, Medina Courthouse Lease Payments
7. 24-195-9/23 – Amend Ord. 59-24, 2024 Concrete Street Repair Program
8. 24-196-9/23 – Fair Market Value Estimates – S. Court Sanitary Sewer Relocation
9. 24-197-9/23 – Increase Exp. P.O. 2024-1383 – Wintrow Construction
10. 24-198-9/23 – Amend Code, Ch. 1519 Fireworks & Ch. 549 Carrying Concealed Weapons
11. 24-200-9/23 – Change Order – Green Home Solutions – PY2022 CHIP

REQUESTS FOR COUNCIL ACTION/DISCUSSION

Finance Committee

- 24-191-9/23 – Budget Amendments
- 24-192-9/23 – Amend Ord. 119-24, Exp. to Rogue Fitness
- 24-193-9/23 – Exp. Over \$20,000 – Pioneer Waterproofing – PY22 CHIP
- 24-194-9/23 – Amend Ord. 128-24, Medina Courthouse Lease payments
- 24-195-9/23 – Amend Ord. 59-24, 2024 Concrete Street Repair Program
- 24-196-9/23 – Fair Market Value Estimates – South Court Sanitary Sewer Relocation
- 24-197-9/23 – Increase Exp. to Winrow Construction – P.O. #2024-1383
- 24-198-9/23 – Amend Code Ch. 1519 Fireworks & Ch. 549 Carrying Concealed Weapons
- 24-200-9/23 – Change Order – Green Home Solutions – PY2022

Public Properties

- 24-199-9/23 – Lake Medina Improvements / Trail Planner – Medina County Park Dist.

9/23/24

KCA 24-189-9/9
Finance.

XX-24

ORDINANCE NO. ~~170-24~~

AN ORDINANCE RATIFYING THE 1976 AGREEMENT WITH THE MEDINA COUNTY BOARD OF COMMISSIONERS PERTAINING TO PROVIDING ADDITIONAL PARKING AT THE COUNTY ADMINISTRATION BUILDING.

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

- SEC. 1: That the 1976 Agreement, dated January 5, 1976 between the City of Medina and the Medina County Board of Commissioners pertaining to the Agreement for a sidewalk to be built on cemetery land between East Liberty Street and East Friendship Street to allow for additional parking at the County Administration Building, is hereby ratified.
- SEC. 2: That a copy of the 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 in full force and effect at the earliest period allowed by law.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

*Agreement never
went through
Council*

*9/9/24 IS/DS HOLD
Next Meeting*

RESOLUTION NO. 76-1 (Con't)
"Exhibit A"

AGREEMENT

THIS AGREEMENT made at Medina, Ohio, this 5th day of January, 1976, between the MEDINA COUNTY BOARD OF COMMISSIONERS, hereinafter called the Commissioners, and the CITY OF MEDINA, OHIO, hereinafter called the City.

In consideration of the mutual promises and agreements of the parties, it is hereby agreed as follows:

1. The City will permit the Commissioners to occupy and use for parking purposes the following described parcel of real estate, to-wit:

Situated in the City of Medina, County of Medina, and State of Ohio, and beginning at an iron pin set in the north line of Medina City Lot 95 at the northeast corner of land owned by the Medina County Commissioners: thence easterly along the north line of Lot 95, a distance of 42.0 feet to a point; thence southerly, parallel with the east line of said Commissioner's land, a distance of 152.7 feet to a point; thence southwesterly, a distance of 93.4 feet to an iron pin set in the south line of Medina City Lot 96 at the southeast corner of said Commissioner's land; thence northerly, along the east line of said Commissioner's land, a distance of 236.25 feet to the point of beginning. Containing therein approximately 8165 feet.

2. The Commissioners agree to construct a four (4) foot sidewalk on the cemetery land between East Liberty Street and East Friendship Street, the said sidewalk location to be approved by the Public Properties Standing Committee of City Council.

3. The Commissioners will submit all plans for construction of the said sidewalk on the cemetery land to the City Engineer for approval and agree to amend said plans if necessary to comply with the requirements of the City Engineer.

4. The commissioners agree maintain said real estate as a parking lot during the term of this agreement.

5. The city agrees to maintain the sidewalk during the term of the lease.

6. The parties agree that this agreement shall continue for a period of ten (10) years after the date of execution and shall be automatically renewed at the end of the said ten (10) year term for an additional ten (10)

RESOLUTION NO. 76-1 (Con't)
" Exhibit A"

year term unless either party shall advise the other party in writing at least thirty (30) days prior to the expiration of the original term or may renewal thereof of the party's intention to cancel the agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands to this Agreement, on the day and year first above written.

Signed in the presence of:

MEDINA COUNTY BOARD OF COMMISSIONERS

Joseph J. Beck
Joseph J. Beck

By: Charles F. Ward
By: John C. Kibler
By: Donald B. Emmons

APPROVED AS TO
FORM
Roger R. Drouhard
PROSECUTOR ATTORNEY

CITY OF MEDINA, OHIO

Helene H. Weyman
Richard H. Gosh

By: August D. Dill
Mayor

Situated in the City of Medina, County of Medina, State of Ohio, and known as being a strip of land 16.00 feet wide in the mid-part of City Lots 96, 97 and 98 further bounded and described as follows:

Commencing at an iron pin found at the southwest corner of City Lot 81, said point also being the intersection of the east right-of-way line of North Broadway and the north right-of-way line of East Liberty Street;

Thence easterly along the north right-of-way line of East Liberty Street, a record distance of 364.60 feet to a point being the southeast corner of a parcel 80.00 feet wide in City Lots 97 & 98 conveyed to the Medina County Board of Commissioners by deed dated May 10, 1985 and recorded in Deed Vol. OR 252 p. 357 of the Medina County Recorder's Office; said point also being the "TRUE PLACE OF BEGINNING" of the easement herein described;

Thence northerly on the east line of the Commissioners' parcel, a record distance of 236.26 feet to a point in the north line of Lot 97 being the north-east corner of said parcel;

Thence northeasterly into City Lot 96 along the south line of an agreement made January 5, 1976 between the City of Medina, Ohio, and the Medina County Board of Commissioners, Resolution No. 76-1, Commissioners' Journal No. 30 pp. 532A-534, a distance of 35.70 feet to a point;

Thence southerly through City Lots 96, 97 and 98 on a line 16 feet east of and parallel to the east line of the aforementioned parcel belonging to the County Commissioners about 268.10 feet to a point in the north right-of-way line of East Liberty Street;

Thence westerly along the north right-of-way line of East Liberty Street, a distance of 16.00 feet to the "TRUE PLACE OF BEGINNING" and containing within said bounds 4,035 sq. ft., 0.0926 acre, more or less.

EXHIBIT "A"

AN EASEMENT TO PROVIDE ADDITIONAL PARKING AT THE
 MEDINA COUNTY ADMINISTRATION BUILDING BY THE CITY OF
 MEDINA TO THE MEDINA COUNTY BOARD OF COMMISSIONERS
 SITUATED IN THE MID-PART OF CITY LOTS, 96, 97, AND 98
 IN THE CITY OF MEDINA, COUNTY OF MEDINA, STATE OF OHIO

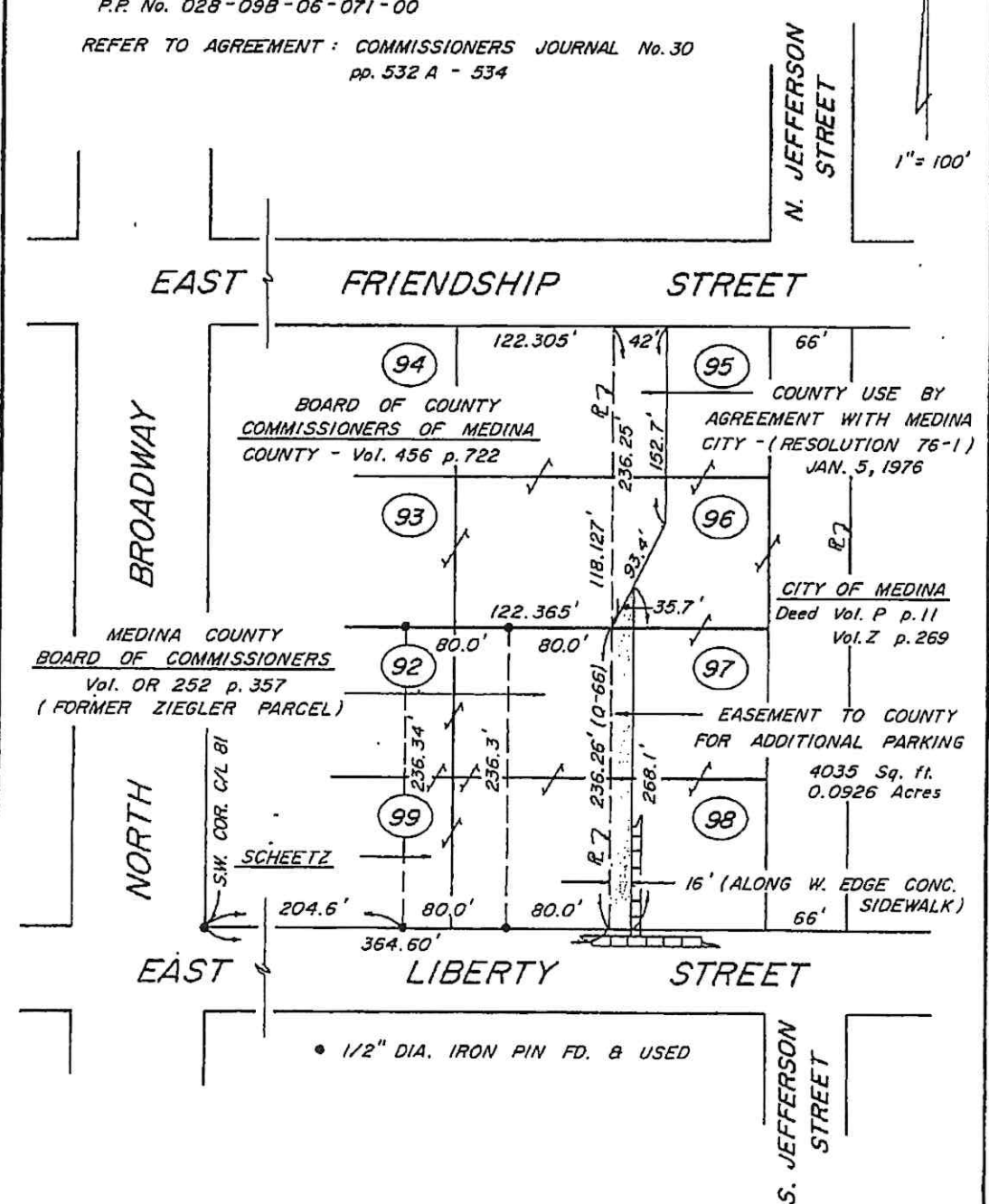
(PART OF OLD CITY CEMETERY PARCEL)

P.R. No. 028-09B-06-071-00

REFER TO AGREEMENT: COMMISSIONERS JOURNAL No. 30
 pp. 532 A - 534

N

1" = 100'



PREPARED BY
 THE MEDINA COUNTY ENGINEERS OFFICE
 791 W. SMITH RD. MEDINA, OH.

OCTOBER 25, 1985

REGULAR MEETING - MONDAY, JANUARY 5, 1976

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

CHARLES F. CLARK JOHN C. OBERHOLTZER DONALD G. SIMMONS

Mr. Simmons offered the following Resolution and moved the adoption of same, which was duly seconded by Mr. Clark.

RESOLUTION NO. 76-1
RESOLUTION APPROVING AN AGREEMENT WITH THE CITY
OF MEDINA TO PROVIDE ADDITIONAL PARKING AT THE
COUNTY ADMINISTRATION BUILDING.

WHEREAS, it has been determined by the Board of County Commissioners that additional parking is needed for the offices in the County Administration Building, and

WHEREAS, the City of Medina presently owns some property located on the east side of the property owned by the Board of County Commissioners which was previously used as a baseball diamond, and

WHEREAS, the Board of County Commissioners feel that it is in the best interest to lease this property for additional parking.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners that the Agreement with the City of Medina providing approximately 8165 square feet for parking be and is hereby approved.

BE IT FURTHER RESOLVED by this Board that a copy of this Agreement be attached hereto and marked "Exhibit A".

Voting AYE thereon: Mr. Clark; Mr. Oberholtzer; Mr. Simmons.

Adopted: January 5, 1976.

(over)

Batch Number
(Finance use only)
Batch Posted?

RCA Number
(Council use only)

RCA 24-191-9/23
Finance

REQUEST FOR APPROPRIATION ADJUSTMENT

TYPE OF ADJUSTMENT
(CHECK ONE)

ADMINISTRATIVE
FINANCE COMMITTEE
COUNCIL

X
X

NO. 2024-045
(Finance use only)

FROM ACCOUNT NUMBER	ACCOUNT DESCRIPTION	TO ACCOUNT NUMBER	ACCOUNT DESCRIPTION	AMOUNT	TRANSFER OF EXISTING APPROPRIATION	UNAPPROPRIATED FUNDS	REASON
		001-0101-50111	wages	1,000.00		X	wages for parking review employee
		001-0101-51121	retirement	150.00		x	pension for parking review employee
		001-0101-51126	medicare	100.00		x	medicare for parking review employee
		001-0705-53315	court - tools / minor	3,756.00		X	admin funds from ADAMH board
		106-0101-53313	police - operating supplies	100.00		X	citizen donation- James & Linda Lavery
		107-0110-53313	fire -operating supplies	7,727.00		x	sale of fire truck
171-0743-52214	arpa - public bldgs	171-0301-54411	arpa - parks -land improvements	13,872.06	x		adj needed for arpa project final pmt
			Total increases to fund:	12,833.00			
			Total reductions to fund:	13,872.06			
			Total transfers within fund:				

EXPLANATION:

DEPARTMENT HEAD: Keith Dirham / Lori Bowers

DATE: 9/16/2024

MAYOR'S APPROVAL:
(WHEN NECESSARY) _____

DATE: _____

COUNCIL/COMMITTEE ACTION:

APPROVED: _____
DENIED: _____
RETURNED FOR EXPLANATION: _____
RETURNED TO USE EXISTING ACCOUNT FUNDS: _____

ORD. NO. 177-24

CLERK OF COUNCIL/DATE

ROUTING: ORIGINAL TO FINANCE
COPY TO DEPT. HEAD
COPY TO COUNCIL

REQUEST FOR COUNCIL ACTION

No. RCA 24-193-9/23
Committee: City Council
Finance

FROM: Grants
DATE: August 3, 2024
SUBJECT: Equipment for City Hall Workout Room

SUMMARY AND BACKGROUND:

City Council is requested to approve a second change order for PO# 2024001068 to Rogue Fitness (DBA Coulter Ventures LLC) that was previously approved by Finance Committee and City Council for the amount of \$37,358.82 for equipment for the city hall workout room.

The increase requested amount is \$93.09 and raises the amount of the purchase order to \$37,451.91. This increase is due to added shipping charges that were not included in the original quote. These costs will be covered by grant funds remaining in account #109-0631-53315.

ORD. 119-24 passed 6/10/24
Amend

It is requested that this be approved with the Emergency Clause by both Finance and City Council on August 26, because the company will have waited over eight weeks to be paid. Thank you

COUNCIL USE ONLY:
Committee Action/Recommendation:
Council Action Taken:

Ord./Res.
Date:

Ord. 178-24
9-17-24

ORDINANCE NO. 119-24

AN ORDINANCE AUTHORIZING THE INCREASE OF THE EXPENDITURE TO ROGUE FITNESS (DBA COULTER VENTURES LLC) RELATED TO EQUIPMENT FOR THE MEDINA CITY HALL FITNESS ROOM.

WHEREAS: The City has requested to increase Purchase Order #2024-1068 from \$34,977.82.00 to \$37,358.82, which requires the Council’s approval; and

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

SEC. 1: That the increase to Purchase Order #2024-1068 from \$34,977.82 to \$37,358.82 is hereby authorized.

SEC. 2: That the funds to cover this increase, in the amount of \$2,381.00, are available in Account No. 109-0631-53315.

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 in full force and effect at the earliest period allowed by law.

PASSED: June 24, 2024

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: June 25, 2024

SIGNED: Dennis Hanwell
Mayor

RCA 24-193-9/23
Finance Only

City of Medina
Board of Control/Finance Committee Approval
Administrative Code: 141

- Department Heads can authorize expenditures up to \$2,000.00 (requisition)
- Board of Control authorizes expenditures from \$2,000.01 to \$20,000.00 (BOC form).
- Finance Committee authorizes expenditures from \$20,000.01 to \$35,000.00 (BOC form).
- Council authorizes expenditures/bids over \$35,000.00 (RCA form). Board of Control awards all bids, unless otherwise specified in authorizing ordinance. (Ord. 77-23)

Date: 9/5/2024

Department: Grants

Amount: \$26,150.00

B.O.C. Approval Date: _____
(Finance Use Only)

Account Number: 138-0462-52215

Vendor: Pioneer Basement Waterproofing

Department Head/Authorized Signature: 

Item/Description:

A purchase order request to Pioneer Basement Waterproofing for a PY22 CHIP Private Home
Repair project at 110 S. Harmony Street in Medina was approved in March for \$25,750 for
the installation of gutters, downspouts, gutter guard, and basement waterproofing. A change
order has been submitted adding a chimney footer repair and removing a handrail installation
for a net change of of +\$400. Project Number AC-22-03

FINANCE COMMITTEE APPROVAL: (expenditures from \$20,000.01 to \$35,000.00)

Date Approved/Denied by Finance Committee: _____

Clerk of council

Date to Finance: _____

- Please have all BOC items for the agenda to the Mayor's Office before 5 p.m. on Friday before the scheduled BOC meeting.
 - Please have all Finance Committee items for the agenda to the Clerk of Council's Office before 5 p.m. on Tuesday before the scheduled Finance Committee meeting.
- Thank you.

OHCP #46

CHANGE ORDER # 2

Owners Tammy Miller
Address 110 South Harmony Street
Medina, Ohio 44256

Contractor Pioneer Basement Solutions
Address 4221 16th St. SW
Canton, OH. 44710

Add Items

Description	Price (+)
<u>Repair damaged chimney Footer</u>	<u>\$ 500.00</u>
Total Additions:	<u>\$ 500.00</u>

Delete Items

Specification #	Description	Price (-)
	<u>No handrails on Front Steps</u>	<u>100.00</u>
	Total Deletions:	<u>\$ 100.00</u>
	Net Difference:	<u>\$ +400.00</u>

Original Contract Amount		<u>\$ 25,750.00</u>
Total Change Orders to Date	(+)	<u>\$ 0</u>
Additions to Contract this change order	(+)	<u>\$ 500.00</u>
Deletions to Contract this change order	(-)	<u>\$ 100.00</u>
New Contract Amount	(=)	<u>\$ 26,150.00</u>

Revised contract completion date 10-30-24 Reason Punch list Items
Not complete

Tammy M Miller
Owner
[Signature]
Contractor
[Signature]
Housing Staff

7/25/24
Date
7-25-24
Date
7-25-24
Date

REQUEST FOR COUNCIL ACTION

No. RCA 24-194-9/23

FROM: Keith H. Dirham, Finance Director
Lori Bowers, Deputy Finance Director

Committee: Finance

DATE: September 16, 2024

SUBJECT: Expenditure greater than \$35,000 – Medina County Commissioners

SUMMARY AND BACKGROUND:

The Finance Department respectfully requests Council to revise Ord 128-24 for the Medina Courthouse Lease payments to increase the expenditure by \$25,000 to cover the first quarter 2025 payment which will be due by January 1, 2025.

Estimated Cost: \$25,000

Suggested Funding:

- 169-0705-52234 - \$10,000 (1st qtr 2025 variable and fixed rate lease)
- 301-0707-52234 - \$10,000 (1st qtr 2025 variable and fixed rate lease)
- 169-0705-52213 - \$2,500 (1st qtr 2025 casualty insurance)
- 001-0707-52213 - \$2,500 (1st qtr 2025 casualty insurance)

- 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. 128-24

AN ORDINANCE AUTHORIZING THE EXPENDITURE NOT TO EXCEED \$50,000 TO THE MEDINA COUNTY TREASURER FOR THE LEASE OF A PORTION OF THE MEDINA COUNTY COURTHOUSE COMPLEX KNOWN AS THE 1969 COURTHOUSE, FOR THE PURPOSE OF OPERATING THE MEDINA MUNICIPAL COURT.

WHEREAS: Ordinance No. 108-23, passed August 28, 2023, authorized the City of Medina to enter into a lease for a portion of the Medina County Courthouse Complex known as the 1969 Courthouse for the purpose of operating the Medina Municipal Court.

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

SEC. 1: That the expenditure of not to exceed \$50,000.00 to the Medina County Treasurer is hereby authorized as follows: \$20,000 in Account No. 169-0705-52234, \$20,000 in Account No. 301-0707-52234, \$5,000 in Account No. 169-0705-52213, and \$5,000 in Account No. 001-0707-52213.

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

SEC. 3: That the funds to cover this expenditure shall be split between the City of Medina and the Court Special Projects fund until the building is occupied, then the funding shall come from the Court Special Projects fund.

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: June 24, 2024

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: June 25, 2024

SIGNED: Dennis Hanwell
Mayor

REQUEST FOR COUNCIL ACTION

*ok
2.17.24
9-17-24*

NO. RIA 24-195-9/23

FROM: Patrick Patton

DATE: September 17, 2024

COMMITTEE REFERRAL: Finance

SUBJECT: Amend Ordinance 59-24 regarding the 2024 Concrete Street Repair Program

This request asks Council to amend Ordinance 59-24 by increasing the amount authorized by \$20,000 to cover additional concrete replacement. This was due to both repairs from emergency water line breaks, and addition of areas where concrete pavement was deemed to have failed.

The total cost for this project will be as follows:

<u>STREET FUNDING (108 0610)</u>		
• <u>Construction (54411)</u>		= \$10,000.
	TOTAL:	= \$10,000.
<u>WATER FUNDING (513 0533)</u>		
• <u>Construction (54414)</u>		= \$ 10,000.
	TOTAL:	= \$ 10,000.

Thank you for your consideration.

ESTIMATED COST: \$20,000. (increases total amount authorized to \$670,000)

SUGGESTED FUNDING: Street Capital and Water Capital Improvements

Sufficient Funds in Account Number: 108 0610 54411 (\$10,000)
513 0533 54414 (\$10,000)

Transfer Needed from: to:

New Appropriation Account Number:

Emergency Clause Requested: No
Reason:

COUNCIL USE ONLY:

COMMITTEE RECOMMENDATION:

Council Action Taken:

Ord./Res. Number:

Date:

ORDINANCE NO. 59-24

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR COMPETITIVE BIDS AND TO AWARD A CONTRACT TO THE SUCCESSFUL BIDDER FOR THE 2024 CONCRETE STREET REPAIR PROGRAM.

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

- SEC. 1:** That the Mayor is hereby authorized and directed to advertise for competitive bids and to award a contract to the successful bidder for the 2024 Concrete Street Repair Program in accordance with specifications on file in the office of the Mayor.
- SEC. 2:** That the estimated cost of the contract, in the amount of \$650,000.00, is available as follows: \$624,300.00 in Account No. 108-0610-54411, \$400.00 in Account No. 108-0610-53311, \$300.00 in Account No. 108-0610-52214, and \$25,000.00 in Account No. 513-0533-54414.
- SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 4:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: March 11, 2024

SIGNED: John M. Coyne, III
President of Council

ATTEST: Kathy Patton
Clerk of Council

APPROVED: March 12, 2024

SIGNED: Dennis Hanwell
Mayor

REQUEST FOR COUNCIL ACTION

OK
D. Hanwell
9-17-24

NO. RCA 24-196-9/23

FROM: Patrick Patton

COMMITTEE REFERRAL: Finance

DATE: September 17, 2024

SUBJECT: Fair Market Value Estimates (FMVE) for South Court Sanitary Sewer Relocation

In order to complete the relocation of the existing sanitary sewer on the west side of S. Court Street, the City must acquire three easements. In order for the City's right-of-way consultant (O. R. Colan) to proceed with the offer to purchase and complete negotiations and acquisition, Council must authorize acceptance of the Fair Market Value Estimates (FMVE) for the project. Below please find a summary for the value of the three (3) parcels:

See below for a summary of the required easements:

PROPERTY #	Address	Parcel	FMVE
3-S	241 South Court	028-19A-21-334	\$2,300
4-S	239 South Court	028-19A-21-236, & 333	\$1,750
5-S	229 & 233 South Court	028-19A-21-234, 235, & 327	\$5,800
TOTAL			\$9,850.

To summarize, this requests asks for Council's acceptance of the FMVE appraisals for the above easements, and authorizes the Mayor to sign each FMVE appraisal; by his signature the City will thus authorize the Consultant to proceed with the acquisition process.

Please note, per the City's agreement with Medina County, while the City is required to acquire the easements, the costs for acquisition of the easements are Medina County's responsibility. Once negotiations and recording of the easements are completed, the City will submit an invoice to Medina County for these costs.

ESTIMATED COST: \$9,850

SUGGESTED FUNDING: 108-0610-54411

Sufficient Funds in Account Number:

Transfer Needed from: To:

New Appropriation Account Number:

Emergency Clause Requested: YES

Reason: This is the first of several steps necessary to complete acquisition; we would like to start this process as soon as possible.

COUNCIL USE ONLY:

COMMITTEE RECOMMENDATION:

Council Action Taken:

Ord./Res. Number:
Date:

RCA 24-197-9/23
Finance Only

City of Medina
Board of Control/Finance Committee Approval
Administrative Code: 141

- Department Heads can authorize expenditures up to \$2,000.00 (requisition)
- Board of Control authorizes expenditures from \$2,000.01 to \$20,000.00 (BOC form).
- Finance Committee authorizes expenditures from \$20,000.01 to \$35,000.00 (BOC form).
- Council authorizes expenditures/bids over \$35,000.00 (RCA form). Board of Control awards all bids, unless otherwise specified in authorizing ordinance. (Ord. 77-23)

Date: 9/18/2024

Department: Engineering

Amount: \$14,000.00

B.O.C. Approval Date: _____
(Finance Use Only)

Account Number: 145-0630-54411

Vendor: Wintrow Construction Corporation

Department Head/Authorized Signature: 

Item/Description:

Increase PO #2024-1383 by \$14,000 to a total of \$34,000 to cover the cost of emergency
derailment repairs.

FINANCE COMMITTEE APPROVAL: (expenditures from \$20,000.01 to \$35,000.00)

Date Approved/Denied by Finance Committee: _____

Clerk of council

Date to Finance: _____

- Please have all BOC items for the agenda to the Mayor's Office before 5 p.m. on Friday before the scheduled BOC meeting.
 - Please have all Finance Committee items for the agenda to the Clerk of Council's Office before 5 p.m. on Tuesday before the scheduled Finance Committee meeting.
- Thank you.



INVOICE

Wintrow Construction Corporation
673 Norton Avenue
Barberton OH 44203-1725
330-753-2983

Invoice No: 27983
Date: 8/8/2024
Due Date: 9/7/2024
Customer PO #
Job No: 8499

Bill To:
City of Medina, OH
132 North Elmwood Ave.
P.O.Box 703
Medina, OH 44256

Job Address:

Medina, OH

Terms: Net 30 Days

A late payment charge of 1½% per month (18% annum) shall be assessed on any past due balance.

Accounts Receivable Email: Jennifer@WintrowConstruction.com

Description	Unit	Qty.	Unit Price	Extended Price
Work Performed 7/25/24				
Derailment Repairs near High Voltage Indoor Carting	LS	1.00	13,129.73	13,129.73

SEE ATTACHED

Subtotal: \$	13,129.73
*Sales Tax (if applicable): \$	0.00
Invoice Amount (USD): \$	13,129.73

*Please reference invoice number on check
Enclose a tax exempt certificate if sales tax is deducted from remittance

REQUEST FOR COUNCIL ACTION

From: Megan Philbin, Prosecutor
Greg Huber, Law Director

No. RCA 24-198-9/23

Date: September 17, 2024

Committee: Finance

Subject: **Adopt Amendments to Codified Ordinances pertaining to Fireworks and Carrying Concealed Weapons (CH 1519 and CH 549)**

Summary and background:

Request Council's consideration to update the codified ordinances of the City of Medina and to adopt changes passed by House Bills 172 and 215.

Draft legislation is attached.

Estimated Cost: N/A

Suggested Funding:

Sufficient Funds in Account: N/A

Transfer Needed From:

To:

New Appropriation Needed into Account:

Emergency Clause Requested: Yes No

Reason:

COUNCIL USE ONLY:

Committee Recommendation:

Ord./Res.:

Date:

**AN ORDINANCE AMENDING CHAPTER 1519 OF THE
CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO,
PERTAINING TO FIREWORKS.**

WHEREAS: On or about October 27, 2021, the Ohio General Assembly adopted House Bill 172 revising the provisions of Ohio law relative to fireworks, including providing that any person authorized to possess 1.4G fireworks in the State of Ohio may discharge, ignite, or explode those fireworks on private property, with authorization from the property owners, on the dates specified therein.

WHEREAS: House Bill 172 authorizes the City to restrict the dates and times a person may discharge, ignite, or explode 1.4G fireworks or otherwise prohibit same.

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

SEC. 1: That Chapter 1519.04 of the Codified Ordinances of Medina, Ohio is hereby amended to include the following provisions:

- (i) Except as otherwise provided in Ohio R.C. 3743.06(J) and 3743.19(K), no person shall knowingly disable a fire suppression system as defined in Ohio R.C. 3781.108 on the premises of a fireworks plant of a licensed manufacturer of fireworks or on the premises of the business operations of a licensed wholesaler of fireworks.**

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

AN ORDINANCE AMENDING CHAPTER 549 OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO, PERTAINING TO CARRYING CONCEALED WEAPONS.

WHEREAS: On or about March 14, 2022, Governor DeWine signed Senate Bill 215 (effective June 13, 2022), which will make it legal to carry a carry a concealed handgun without a license.

WHEREAS: It is necessary to update Chapter 549 of the City of Medina Codified Ordinances pursuant to Senate Bill 215.

WHEREAS: That Section 549.02 of the codified ordinances of the City of Medina, Ohio presently reads as follows:

“549.02 CARRYING CONCEALED WEAPONS.

(a) No person shall knowingly carry or have, concealed on the person’s person or concealed ready at hand, any of the following:

- (1) A deadly weapon other than a handgun;
- (2) A handgun other than a dangerous ordnance;
- (3) A dangerous ordnance.

(b) No person who has been issued a concealed handgun license, shall do any of the following:

- (1) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, before or at the time a law enforcement officer asks if the person is carrying a concealed handgun, knowingly fail to disclose that the person then is carrying a concealed handgun, provided that it is not a violation of this section if the person fails to disclose that fact to an officer during the stop and the person already has notified another officer of that fact during the same stop;
- (2) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, knowingly fail to keep the person’s hands in plain sight at any time after any law enforcement officer begins approaching the person while stopped and before the law enforcement officer leaves, unless the failure is pursuant to and in accordance with directions given by a law enforcement officer;
- (3) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, knowingly disregard or fail to comply with any lawful order of any law enforcement officer given while the person is stopped, including, but not limited to, a specific order to the person to keep the person’s hands in plain sight.

(c) (1) This section does not apply to any of the following:

A. An officer, agent or employee of this or any other state or the United States, or to a law enforcement officer, who is authorized to carry concealed weapons or dangerous ordnance, or is authorized to carry handguns and is acting within the scope of the officer's, agent's or employee's duties;

B. Any person who is employed in this State, who is authorized to carry concealed weapons or dangerous ordnance or is authorized to carry handguns, and who is subject to and in compliance with the requirements of Ohio R.C. 109.801 unless the appointing authority of the person has expressly specified that the exemption provided in subsection (c)(1)B. hereof does not apply to the person.

C. A person's transportation or storage of a firearm, other than a firearm described in divisions (G) to (M) of Ohio R.C. 2923.11 in a motor vehicle for any lawful purpose if the firearm is not on the actor's person;

D. A person's storage or possession of a firearm, other than a firearm described in divisions (G) to (M) of Ohio R.C. 2923.11 in the actor's own home for any lawful purpose.

(2) Subsection (a)(2) of this section does not apply to any person who has been issued a concealed handgun license that is valid at the time of the alleged carrying or possession of a handgun or who, at the time of the alleged carrying or possession of a handgun, is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in Ohio R.C. 2923.125(G)(1), unless the person knowingly is in a place described in Ohio R.C. 2923.126(B).

(d) It is an affirmative defense to a charge under subsection (a)(1) of this section of carrying or having control of a weapon other than a handgun and other than a dangerous ordnance, that the actor was not otherwise prohibited by law from having the weapon, and that any of the following applies:

(1) The weapon was carried or kept ready at hand by the actor for defensive purposes, while the actor was engaged in or was going to or from the actor's lawful business or occupation, which business or occupation was of a character or was necessarily carried on in a manner or at a time or place as to render the actor particularly susceptible to criminal attack, such as would justify a prudent person in going armed.

(2) The weapon was carried or kept ready at hand by the actor for defensive purposes, while the actor was engaged in a lawful activity and had reasonable cause to fear a criminal attack upon the actor, a member of the actor's family, or the actor's home, such as would justify a prudent person in going armed.

(3) The weapon was carried or kept ready at hand by the actor for any lawful purpose and while in the actor's own home.

(e) (1) No person who is charged with a violation of this section shall be required to obtain a concealed handgun license as a condition for the dismissal of the charge.

(2) If a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of subsection (b)(1) of this section as it existed prior to June 13, 2022, the person may file an application under Ohio R.C. 2953.35 requesting the expungement of the record of conviction.

(f) (1) Whoever violates this section is guilty of carrying concealed weapons. Except as otherwise provided in this subsection or subsections (f)(2), (5) and (6) of this section, carrying concealed weapons in violation of subsection (a) of this section is a misdemeanor of the first degree. Except as otherwise provided in this subsection or subsections (f)(2), (5) and (6) of this section, if the offender previously has been convicted of a violation of this section or of any offense of violence, if the weapon involved is a firearm that is either loaded or for which the offender has ammunition ready at hand, or if the weapon involved is dangerous ordnance, carrying concealed weapons in violation of subsection (a) of this section is a felony and shall be prosecuted under appropriate State law. Except as otherwise provided in subsections (f)(2), (5) and (6) of this section, if the weapon involved is a firearm and the violation of this section is committed at premises for which a D permit has been issued under Chapter 4303, of the Revised Code or if the offense is committed aboard an aircraft, or with purpose to carry a concealed weapon aboard an aircraft, regardless of the weapon involved, carrying concealed weapons in violation of subsection (a) of this section is a felony and shall be prosecuted under appropriate State law.

(2) A person shall not be arrested for a violation of subsection (a)(2) of this section solely because the person does not promptly produce a valid concealed handgun license. If a person is arrested for a violation of subsection (a)(2) of this section and is convicted of or pleads guilty to the violation, the offender shall be punished as follows:

A. The offender shall be guilty of a minor misdemeanor if both of the following apply:

1. Within ten days after the arrest, the offender presents a concealed handgun license, which license was valid at the time of the arrest to the law enforcement agency that employs the arresting officer.

2. At the time of the arrest, the offender was not knowingly in a place described in division (B) of Ohio R.C. 2923.126.

B. The offender shall be guilty of a misdemeanor and shall be fined five hundred dollars (\$500.00) if all of the following apply:

1. The offender previously had been issued a concealed handgun license and that license expired within the two years immediately preceding the arrest.

2. Within forty-five days after the arrest, the offender presents any type of concealed handgun license to the law enforcement agency that employed the arresting officer, and the

offender waives in writing the offender's right to a speedy trial on the charge of the violation that is provided in Ohio R.C. 2945.71.

3. At the time of the commission of the offense, the offender was not knowingly in a place described in division (B) of Ohio R.C. 2923.126.

C. If subsections (f)(2)A. and B. and (f)(5) of this section do not apply, the offender shall be punished under subsection (f)(1) or (6) of this section.

(3) Carrying concealed weapons in violation of subsection (b)(1) of this section is a misdemeanor of the second degree.

(4) Carrying concealed weapons in violation of subsection (b)(2) or (b)(3) hereof is a misdemeanor of the first degree. If the offender has previously been convicted or pleaded guilty to a violation of subsection (b)(2) or (b)(3) hereof or a substantially equivalent municipal ordinance, carrying concealed weapons is a felony and shall be prosecuted under appropriate state law. In addition to any other penalty or sanction imposed for a violation of subsection (b)(2) or (b)(3) hereof, the offender's concealed handgun license shall be suspended pursuant to Ohio R.C. 2923.128(A)(2).

(5) If a person being arrested for a violation of subsection (a)(2) of this section is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G)(1) of Ohio R.C. 2923.125, and if at the time of the violation the person was not knowingly in a place described in division (B) of Ohio R.C. 2923.126, the officer shall not arrest the person for a violation of that division. If the person is not able to promptly produce a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G)(1) of Ohio R.C. 2923.125 and if the person is not in a place described in division (B) of Ohio R.C. 2923.126, the officer shall issue a citation and the offender shall be assessed a civil penalty of not more than five hundred dollars (\$500.00). The citation shall be automatically dismissed and the civil penalty shall not be assessed if both of the following apply:

A. Within ten days after the issuance of the citation, the offender presents a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G)(1) of Ohio R.C. 2923.125, which were both valid at the time of the issuance of the citation to the law enforcement agency that employs the citing officer.

B. At the time of the citation, the offender was not knowingly in a place described in division (B) of Ohio R.C. 2923.126.

(6) If a person being arrested for a violation of subsection (a)(2) of this section is knowingly in a place described in division (B)(5) of Ohio R.C. 2923.126, and is not authorized to carry a handgun or have a handgun concealed on the person's person or concealed ready at hand under that division, the penalty shall be as follows:

A. Except as otherwise provided in this subsection, if the person produces a valid concealed handgun license within ten days after the arrest and has not previously been convicted or pleaded guilty to a violation of subsection (a)(2) of this section, the person is guilty of a minor misdemeanor;

B. Except as otherwise provided in this subsection, if the person has previously been convicted of or pleaded guilty to a violation of subsection (a)(2) of this section, the person is guilty of a misdemeanor of the fourth degree;

C. Except as otherwise provided in this subsection, if the person has previously been convicted of or pleaded guilty to two violations of subsection (a)(2) of this section, the person is guilty of a misdemeanor of the third degree;

D. Except as otherwise provided in this subsection, if the person has previously been convicted of or pleaded guilty to three or more violations of subsection (a)(2) of this section, or convicted of or pleaded guilty to any offense of violence, if the weapon involved is a firearm that is either loaded or for which the offender has ammunition ready at hand, or if the weapon involved is a dangerous ordnance, the person is guilty of a misdemeanor of the second degree.

(g) If a law enforcement officer stops a person to question the person regarding a possible violation of this section, for a traffic stop, or for any other law enforcement purpose, if the person surrenders a firearm to the officer, either voluntarily or pursuant to a request or demand of the officer, and if the officer does not charge the person with a violation of this section or arrest the person for any offense, the person is not otherwise prohibited by law from possessing the firearm, and the firearm is not contraband, the officer shall return the firearm to the person at the termination of the stop. If a court orders a law enforcement officer to return a firearm to a person pursuant to the requirement set forth in this subsection, division (B) of Ohio R.C. 2923.163 applies.

(h) For purposes of this section, “deadly weapon” or “weapon” does not include any knife, razor, or cutting instrument if the instrument was not used as a weapon.

(ORC 2923.12)”

WHEREAS: That Section 549.04 of the codified ordinances of the City of Medina, Ohio presently reads as follows:

“549.04 IMPROPERLY HANDLING FIREARMS IN A MOTOR VEHICLE.

(a) No person shall knowingly transport or have a firearm in a motor vehicle, unless the person may lawfully possess that firearm under applicable law of this state or the United States, the firearm is unloaded, and the firearm is carried in one of the following ways:

- (1) In a closed package, box or case;
- (2) In a compartment which can be reached only by leaving the vehicle;

(3) In plain sight and secured in a rack or holder made for the purpose;

(4) If the firearm is at least twenty-four inches in overall length as measured from the muzzle to the part of the stock furthest from the muzzle and if the barrel is at least eighteen inches in length, either in plain sight with the action open or the weapon stripped, or, if the firearm is of a type on which the action will not stay open or which cannot easily be stripped, in plain sight.

(b) No person who has been issued a concealed handgun license, or who is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G)(1) of Ohio R.C. 2923.125, who is the driver or an occupant of a motor vehicle that is stopped as a result of a traffic stop or a stop for another law enforcement purpose or is the driver or an occupant of a commercial motor vehicle that is stopped by an employee of the motor carrier enforcement unit for the purposes defined in Ohio R.C. 5503.34, and who is transporting or has a loaded handgun in the motor vehicle or commercial motor vehicle in any manner, shall do any of the following:

(1) Before or at the time a law enforcement officer asks if the person is carrying a concealed handgun, knowingly fail to disclose that the person then possesses or has a loaded handgun in the motor vehicle, provided that it is not a violation of this division if the person fails to disclose that fact to an officer during the stop and the person already has notified another officer of that fact during the same stop;

(2) Before or at the time an employee of the motor carrier enforcement unit asks if the person is carrying a concealed handgun, knowingly fail to disclose that the person then possesses or has a loaded handgun in the commercial motor vehicle, provided that it is not a violation of this division if the person fails to disclose that fact to an employee of the unit during the stop and the person already has notified another employee of the unit of that fact during the same stop;

(3) Knowingly fail to remain in the motor vehicle while stopped, or knowingly fail to keep the person's hands in plain sight at any time after any law enforcement officer begins approaching the person while stopped and before the law enforcement officer leaves, unless the failure is pursuant to and in accordance with directions given by a law enforcement officer.

(4) Knowingly disregard or fail to comply with any lawful order of any law enforcement officer given while the motor vehicle is stopped, including, but not limited to, a specific order to the person to keep the person's hands in plain sight.

(c) (1) This section does not apply to any of the following:

A. An officer, agent or employee of this or any other state or the United States, or a law enforcement officer, when authorized to carry or have loaded or accessible firearms in motor vehicles and acting within the scope of the officer's, agent's or employee's duties;

B. Any person who is employed in this State, who is authorized to carry or have loaded or accessible firearms in motor vehicles, and who is subject to and in compliance with the

requirements of Ohio R.C. 109.801, unless the appointing authority of the person has expressly specified that the exemption provided in subsection (c)(1)B. does not apply to the person.

(2) Subsection (a) of this section does not apply to a person who transports or possesses a handgun in a motor vehicle if, at the time of that transportation or possession, both of the following apply:

A. The person transporting or possessing the handgun has been issued a concealed handgun license that is valid at the time in question or the person is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in Ohio R.C. 2923.125(G)(1).

B. The person transporting or possessing the handgun is not knowingly in a place described in division (B) of Ohio R.C. 2923.126.

(3) Subsection (a) of this section does not apply to a person if all of the following apply:

A. The person possesses a valid all-purpose vehicle permit issued under Ohio R.C. 1533.103 by the Chief of the Division of Wildlife.

B. The person is on or in an all-purpose vehicle as defined in Ohio R.C. 1531.01 on private or publicly owned lands or on or in a motor vehicle during the open hunting season for a wild quadruped or game bird.

C. The person is on or in an all-purpose vehicle as defined in Ohio R.C. 1531.01 or a motor vehicle that is parked on a road that is owned or administered by the Division of Wildlife.

(d) (1) The affirmative defenses authorized in Section 549.02(d)(1) and (2) are affirmative defenses to a charge under subsection (a) that involves a firearm other than a handgun.

(2) It is an affirmative defense to a charge under subsection (a) of improperly handling firearms in a motor vehicle that the actor transported or had the firearm in the motor vehicle for any lawful purpose and while the motor vehicle was on the actor's own property, provided that the affirmative defense is not available unless the person, immediately prior to arriving at the actor's own property, did not transport or possess the firearm in a motor vehicle in a manner prohibited by subsection (a) while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic.

(e) (1) No person who is charged with a violation of subsection (a) shall be required to obtain a concealed handgun license as a condition for the dismissal of the charge.

(2) If a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of subsection (b) of this section as it existed prior to September 30, 2011, and the conduct that was the basis of the violation no longer would be a violation of subsection (b) of this section on or after September 30, 2011, or if a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of subsection (a) of this section as the

subsection existed prior to June 13, 2022, the person may file an application under Ohio R.C. 2953.35 requesting the expungement of the record of conviction.

(f) Whoever violates this section is guilty of improperly handling firearms in a motor vehicle. Violation of subsection (a) of this section is a misdemeanor of the fourth degree. A violation of subsection (b)(1) or (b)(2) of this section is a misdemeanor of the second degree. A violation of subsection (b)(3) or (4) of this section is a misdemeanor of the first degree or, if the offender previously has been convicted of or pleaded guilty to a violation of subsection (b)(3) or (4) of this section, a felony and shall be prosecuted under appropriate State law. In addition to any other penalty or sanction imposed for a misdemeanor violation of subsection (b)(3) or (4) of this section, the offender's concealed handgun license shall be suspended pursuant to Ohio R.C. 2923.128(A)(2).

(g) If a law enforcement officer stops a motor vehicle for a traffic stop or any other purpose, if any person in the motor vehicle surrenders a firearm to the officer, either voluntarily or pursuant to a request or demand of the officer, and if the officer does not charge the person with a violation of this section or arrest the person for any offense, the person is not otherwise prohibited by law from possessing the firearm, and the firearm is not contraband, the officer shall return the firearm to the person at the termination of the stop. If a court orders a law enforcement officer to return a firearm to a person pursuant to the requirement set forth in this subsection, division (B) of Ohio R.C. 2923.163 applies.

(h) As used in this section:

(1) "Commercial motor vehicle" has the same meaning as in Ohio R.C. 4506.25(A).

(2) "Motor carrier enforcement unit" means the motor carrier enforcement unit in the Department of Public Safety, Division of State Highway Patrol, that is created by Ohio R.C. 5503.34.

(3) "Motor vehicle", "street" and "highway" have the same meanings as in Ohio R.C. 4511.01.

(4) A. "Unloaded" means:

1. With respect to a firearm other than a firearm described in subsection (h)(4)B. of this section, that no ammunition is in the firearm in question, no magazine or speed loader containing ammunition is inserted into the firearm in question and one of the following applies:

a. There is no ammunition in a magazine or speed loader that is in the vehicle in question and that may be used with the firearm in question.

b. Any magazine or speed loader that contains ammunition and that may be used with the firearm in question is stored in a compartment within the vehicle in question that cannot be accessed without leaving the vehicle or is stored in a container that provides complete and separate enclosure.

2. For the purposes of subsection (h)(4)A.1.b. of this section, a “container that provides complete and separate enclosure” includes, but is not limited to, any of the following:

a. A package, box or case with multiple compartments, as long as the loaded magazine or speed loader and the firearm in question either are in separate compartments within the package, box, or case, or, if they are in the same compartment, the magazine or speed loader is contained within a separate enclosure in that compartment that does not contain the firearm and that closes using a snap, button, buckle, zipper, hook and loop closing mechanism, or other fastener that must be opened to access the contents or the firearm is contained within a separate enclosure of that nature in that compartment that does not contain the magazine or speed loader;

b. A pocket or other enclosure on the person of the person in question that closes using a snap, button, buckle, zipper, hook and loop closing mechanism, or other fastener that must be opened to access the contents.

3. For the purposes of subsection (h)(4)A. of this section, ammunition held in stripper-clips or in en-bloc clips is not considered ammunition that is loaded into a magazine or speed loader.

B. “Unloaded” means, with respect to a firearm employing a percussion cap, flintlock, or other obsolete ignition system, when the weapon is uncapped or when the priming charge is removed from the pan.

(i) Subsection (h)(4) of this section does not affect the authority of a person who has been issued a concealed handgun license that is valid at the time in question to have one or more magazines or speed loaders containing ammunition anywhere in a vehicle, without being transported as described in those divisions, so long as no ammunition is in a firearm, other than a handgun, in the vehicle other than as permitted under any other provision of this chapter. A person who has been issued a concealed handgun license that is valid at the time in question may have one or more magazines or speed loaders containing ammunition anywhere in a vehicle without further restriction, as long as no ammunition is in a firearm, other than a handgun, in the vehicle other than as permitted under any provision of this chapter.

(ORC 2923.16)”

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

SEC. 1: That Section 549.011 of the Codified Ordinances is hereby established to read as follows:

“549.011 CONCEALED HANDGUN LICENSE – EXEMPTIONS

- (a) As used in this section:
- (1) “Restricted firearm” means a firearm that is dangerous ordnance or that is a firearm that any law of this state prohibits the subject person from possessing, having, or carrying.

- (2) "Qualifying adult" means a person who is all of the following:
- A. Twenty-one years of age or older;
 - B. Not legally prohibited from possessing or receiving a firearm under 18 U.S.C. 922(g)(1) to (9) or under Ohio R.C. 2923.13 or any other Revised Code provision;
 - C. Satisfies all of the criteria listed in divisions (D)(1)(a) to (j), (m), (p), (q), and (s) of Ohio R.C. 2923.125.
- (b) Notwithstanding any other Revised Code section to the contrary:
- (1) A person who is a qualifying adult shall not be required to obtain a concealed handgun license in order to carry in this state, under authority of subsection (b)(2) of this section, a concealed handgun that is not a restricted firearm.
 - (2) Regardless of whether the person has been issued a concealed handgun license, subject to the limitation specified in subsections (b)(3) and (d) of this section, a person who is a qualifying adult may carry a concealed handgun that is not a restricted firearm anywhere in this state in which a person who has been issued a concealed handgun license may carry a concealed handgun.
 - (3) The right of a person who is a qualifying adult to carry a concealed handgun that is not a restricted firearm that is granted under subsections (b)(1) and (2) of this section is the same right as is granted to a person who has been issued a concealed handgun license, and a qualifying adult who is granted the right is subject to the same restrictions as apply to a person who has been issued a concealed handgun license.
- (c) For purposes of any provision of Ohio R.C. 1547.69, 2923.12, or 2923.124 to 2923.1213, or any other section of the Revised Code, that refers to a concealed handgun license or a concealed handgun licensee, except when the context clearly indicates otherwise, all of the following apply:
- (1) A person who is a qualifying adult and is carrying or has, concealed on the person's person or ready at hand, a handgun that is not a restricted firearm shall be deemed to have been issued a valid concealed handgun license.
 - (2) If the provision refers to a person having been issued a concealed handgun license or having been issued a concealed handgun license that is valid at a particular point in time, the provision shall be construed as automatically including a person who is a qualifying adult and who is carrying or has, concealed on the person's person or ready at hand, a handgun that is not a restricted firearm, as if the person had been issued a concealed handgun license or had been issued a concealed handgun license that is valid at the particular point in time.
 - (3) If the provision in specified circumstances requires a concealed handgun license to engage in specified conduct, or prohibits a concealed handgun licensee from engaging in specified conduct, the provision shall be construed as applying in the same circumstances to a person who is a qualifying adult in the same manner as if the person was a concealed handgun licensee.

(4) If the application of a provision to a person depends on whether the person is or is not a concealed handgun licensee, the provision shall be applied to a person who is a qualifying adult in the same manner as if the person was a concealed handgun licensee.

(5) If the provision pertains to the imposition of a penalty or sanction for specified conduct and the penalty or sanction applicable to a person who engages in conduct depends on whether the person is or is not a concealed handgun licensee, the provision shall be applied to a person who is a qualifying adult in the same manner as if the person was a concealed handgun licensee.

(d) The concealed handgun license expiration provisions of Ohio R.C. 2923.125 and 2923.1213, and the concealed handgun license suspension and revocation provisions of Ohio R.C. 2923.128, do not apply with respect to a person who is a qualifying adult unless the person has been issued a concealed handgun license. If a person is a qualifying adult and the person thereafter comes within any category of persons specified in 18 U.S.C. 922(g)(1) to (9) or in Ohio R.C. 2923.13 or any other Revised Code provision so that the person as a result is legally prohibited under the applicable provision from possessing or receiving a firearm, both of the following apply automatically and immediately upon the person coming within that category:

(1) Subsection (b) of this section and the authority and right to carry a concealed handgun that are described in that subsection do not apply to the person.

(2) The person no longer is deemed to have been issued a concealed handgun license as described in subsection (c)(1) of this section, and the provisions of subsections (c)(1) to (5) of this section no longer apply to the person in the same manner as if the person had been issued, possessed, or produced a valid concealed handgun license or was a concealed handgun licensee.”

SEC. 2: That Section 549.02 of the Codified Ordinances is hereby amended to read as follows:

“549.02 CARRYING CONCEALED WEAPONS.

(a) No person shall knowingly carry or have, concealed on the person’s person or concealed ready at hand, any of the following:

- (1) A deadly weapon other than a handgun;
- (2) A handgun other than a dangerous ordnance;
- (3) A dangerous ordnance.

(b) No person who has been issued a concealed handgun license, shall do any of the following:

(1) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, before or at the time a law enforcement officer asks if the person is carrying a concealed handgun, knowingly fail to disclose that the person then is carrying a concealed handgun, provided that it is not a violation of this section if the person fails to disclose that fact to an officer during the stop and the person already has notified another officer of that fact during the same stop;

(2) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, knowingly fail to keep the person's hands in plain sight at any time after any law enforcement officer begins approaching the person while stopped and before the law enforcement officer leaves, unless the failure is pursuant to and in accordance with directions given by a law enforcement officer;

(3) If the person is stopped for a law enforcement purpose, if the person is carrying a concealed handgun, and if the person is approached by any law enforcement officer while stopped, knowingly remove or attempt to remove the loaded handgun from the holster, pocket, or other place in which the person is carrying it, knowingly grasp or hold the loaded handgun, or knowingly have contact with the loaded handgun by touching it with the person's hands or fingers at any time after the law enforcement officer begins approaching and before the law enforcement officer leaves, unless the person removes, attempts to remove, grasps, holds, or has contact with the loaded handgun pursuant to and in accordance with directions given by the law enforcement officer.

(4) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, knowingly disregard or fail to comply with any lawful order of any law enforcement officer given while the person is stopped, including, but not limited to, a specific order to the person to keep the person's hands in plain sight.

(c) (1) This section does not apply to any of the following:

A. An officer, agent or employee of this or any other state or the United States, or to a law enforcement officer, who is authorized to carry concealed weapons or dangerous ordnance, or is authorized to carry handguns and is acting within the scope of the officer's, agent's or employee's duties;

B. Any person who is employed in this State, who is authorized to carry concealed weapons or dangerous ordnance or is authorized to carry handguns, and who is subject to and in compliance with the requirements of Ohio R.C. 109.801 unless the appointing authority of the person has expressly specified that the exemption provided in subsection (c)(1)B. hereof does not apply to the person.

C. A person's transportation or storage of a firearm, other than a firearm described in divisions (G) to (M) of Ohio R.C. 2923.11 in a motor vehicle for any lawful purpose if the firearm is not on the actor's person;

D. A person's storage or possession of a firearm, other than a firearm described in divisions (G) to (M) of Ohio R.C. 2923.11 in the actor's own home for any lawful purpose.

(2) Subsection (a)(2) of this section does not apply to any person who has been issued a concealed handgun license that is valid at the time of the alleged carrying or possession of a handgun or who, at the time of the alleged carrying or possession of a handgun, is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in Ohio R.C. 2923.125(G)(1), unless the person knowingly is in a place described in Ohio R.C. 2923.126(B).

(d) It is an affirmative defense to a charge under subsection (a)(1) of this section of carrying or having control of a weapon other than a handgun and other than a dangerous ordnance, that the actor was not otherwise prohibited by law from having the weapon, and that any of the following applies:

(1) The weapon was carried or kept ready at hand by the actor for defensive purposes, while the actor was engaged in or was going to or from the actor's lawful business or occupation, which business or occupation was of a character or was necessarily carried on in a manner or at a time or place as to render the actor particularly susceptible to criminal attack, such as would justify a prudent person in going armed.

(2) The weapon was carried or kept ready at hand by the actor for defensive purposes, while the actor was engaged in a lawful activity and had reasonable cause to fear a criminal attack upon the actor, a member of the actor's family, or the actor's home, such as would justify a prudent person in going armed.

(3) The weapon was carried or kept ready at hand by the actor for any lawful purpose and while in the actor's own home.

(e) (1) No person who is charged with a violation of this section shall be required to obtain a concealed handgun license as a condition for the dismissal of the charge.

(2) If a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of subsection (b)(1) of this section as it existed prior to June 13, 2022, the person may file an application under Ohio R.C. 2953.35 requesting the expungement of the record of conviction.

(f) (1) Whoever violates this section is guilty of carrying concealed weapons. Except as otherwise provided in this subsection or subsections (f)(2), (5) and (6) of this section, carrying concealed weapons in violation of subsection (a) of this section is a misdemeanor of the first degree. Except as otherwise provided in this subsection or subsections (f)(2), (5) and (6) of this section, if the offender previously has been convicted of a violation of this section or of any offense of violence, if the weapon involved is a firearm that is either loaded or for which the offender has ammunition ready at hand, or if the weapon involved is dangerous ordnance, carrying concealed weapons in violation of subsection (a) of this section is a felony and shall be prosecuted under appropriate State law. Except as otherwise provided in subsections (f)(2), (5) and (6) of this section, if the weapon involved is a firearm and the violation of this section is

committed at premises for which a D permit has been issued under Chapter 4303, of the Revised Code or if the offense is committed aboard an aircraft, or with purpose to carry a concealed weapon aboard an aircraft, regardless of the weapon involved, carrying concealed weapons in violation of subsection (a) of this section is a felony and shall be prosecuted under appropriate State law.

(2) A person shall not be arrested for a violation of subsection (a)(2) of this section solely because the person does not promptly produce a valid concealed handgun license. If a person is arrested for a violation of subsection (a)(2) of this section and is convicted of or pleads guilty to the violation, the offender shall be punished as follows:

A. The offender shall be guilty of a minor misdemeanor if both of the following apply:

1. Within ten days after the arrest, the offender presents a concealed handgun license, which license was valid at the time of the arrest to the law enforcement agency that employs the arresting officer.

2. At the time of the arrest, the offender was not knowingly in a place described in division (B) of Ohio R.C. 2923.126.

B. The offender shall be guilty of a misdemeanor and shall be fined five hundred dollars (\$500.00) if all of the following apply:

1. The offender previously had been issued a concealed handgun license and that license expired within the two years immediately preceding the arrest.

2. Within forty-five days after the arrest, the offender presents any type of concealed handgun license to the law enforcement agency that employed the arresting officer, and the offender waives in writing the offender's right to a speedy trial on the charge of the violation that is provided in Ohio R.C. 2945.71.

3. At the time of the commission of the offense, the offender was not knowingly in a place described in division (B) of Ohio R.C. 2923.126.

C. If subsections (f)(2)A. and B. and (f)(5) of this section do not apply, the offender shall be punished under subsection (f)(1) or (6) of this section.

(3) Carrying concealed weapons in violation of subsection (b)(1) of this section is a misdemeanor of the second degree.

(4) Carrying concealed weapons in violation of subsection (b)(2) or (b)(3) hereof is a misdemeanor of the first degree. If the offender has previously been convicted or pleaded guilty to a violation of subsection (b)(2) or (b)(3) hereof or a substantially equivalent municipal ordinance, carrying concealed weapons is a felony and shall be prosecuted under appropriate state law. In addition to any other penalty or sanction imposed for a violation of subsection (b)(2) or (b)(3) hereof, the offender's concealed handgun license shall be suspended pursuant to Ohio R.C. 2923.128(A)(2).

(5) If a person being arrested for a violation of subsection (a)(2) of this section is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G)(1) of Ohio R.C. 2923.125, and if at the time of the violation the person was not knowingly in a place described in division (B) of Ohio R.C. 2923.126, the officer shall not arrest the person for a violation of that division. If the person is not able to promptly produce a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G)(1) of Ohio R.C. 2923.125 and if the person is not in a place described in division (B) of Ohio R.C. 2923.126, the officer shall issue a citation and the offender shall be assessed a civil penalty of not more than five hundred dollars (\$500.00). The citation shall be automatically dismissed and the civil penalty shall not be assessed if both of the following apply:

A. Within ten days after the issuance of the citation, the offender presents a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G)(1) of Ohio R.C. 2923.125, which were both valid at the time of the issuance of the citation to the law enforcement agency that employs the citing officer.

B. At the time of the citation, the offender was not knowingly in a place described in division (B) of Ohio R.C. 2923.126.

(6) If a person being arrested for a violation of subsection (a)(2) of this section is knowingly in a place described in division (B)(5) of Ohio R.C. 2923.126, and is not authorized to carry a handgun or have a handgun concealed on the person's person or concealed ready at hand under that division, the penalty shall be as follows:

A. Except as otherwise provided in this subsection, if the person produces a valid concealed handgun license within ten days after the arrest and has not previously been convicted or pleaded guilty to a violation of subsection (a)(2) of this section, the person is guilty of a minor misdemeanor;

B. Except as otherwise provided in this subsection, if the person has previously been convicted of or pleaded guilty to a violation of subsection (a)(2) of this section, the person is guilty of a misdemeanor of the fourth degree;

C. Except as otherwise provided in this subsection, if the person has previously been convicted of or pleaded guilty to two violations of subsection (a)(2) of this section, the person is guilty of a misdemeanor of the third degree;

D. Except as otherwise provided in this subsection, if the person has previously been convicted of or pleaded guilty to three or more violations of subsection (a)(2) of this section, or convicted of or pleaded guilty to any offense of violence, if the weapon involved is a firearm that is either loaded or for which the offender has ammunition ready at hand, or if the weapon involved is a dangerous ordnance, the person is guilty of a misdemeanor of the second degree.

(g) If a law enforcement officer stops a person to question the person regarding a possible violation of this section, for a traffic stop, or for any other law enforcement purpose, if the person surrenders a firearm to the officer, either voluntarily or pursuant to a request or demand of the officer, and if the officer does not charge the person with a violation of this section or arrest the person for any offense, the person is not otherwise prohibited by law from possessing the firearm, and the firearm is not contraband, the officer shall return the firearm to the person at the termination of the stop. If a court orders a law enforcement officer to return a firearm to a person pursuant to the requirement set forth in this subsection, division (B) of Ohio R.C. 2923.163 applies.

(h) For purposes of this section, “deadly weapon” or “weapon” does not include any knife, razor, or cutting instrument if the instrument was not used as a weapon.

(ORC 2923.12)”

SEC. 3: That Section 549.04 of the Codified Ordinances is hereby amended to read as follows:

“549.04 IMPROPERLY HANDLING FIREARMS IN A MOTOR VEHICLE.

(a) No person shall knowingly transport or have a loaded firearm in a motor vehicle in such a manner that the firearm is accessible to the operator or any passenger without leaving the vehicle.

(b) No person shall knowingly transport or have a firearm in a motor vehicle, unless the person may lawfully possess that firearm under applicable law of this state or the United States, the firearm is unloaded, and the firearm is carried in one of the following ways:

- (1) In a closed package, box or case;
- (2) In a compartment which can be reached only by leaving the vehicle;
- (3) In plain sight and secured in a rack or holder made for the purpose;

(4) If the firearm is at least twenty-four inches in overall length as measured from the muzzle to the part of the stock furthest from the muzzle and if the barrel is at least eighteen inches in length, either in plain sight with the action open or the weapon stripped, or, if the firearm is of a type on which the action will not stay open or which cannot easily be stripped, in plain sight.

(c) No person shall knowingly transport or have a loaded handgun in a motor vehicle if, at the time of that transportation or possession, any of the following applies:

(1) The person is under the influence of alcohol, a drug of abuse, or a combination of them.

(2) The person's whole blood, blood serum or plasma, breath, or urine contains a concentration of alcohol, a listed controlled substance, or a listed metabolite of a controlled substance prohibited for persons operating a vehicle, as specified in Ohio R.C. 4511.19(A), regardless of whether the person at the time of the transportation or possession as described in this subsection is the operator of or a passenger in the motor vehicle.

(d) No person who has been issued a concealed handgun license, or who is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G)(1) of Ohio R.C. 2923.125, who is the driver or an occupant of a motor vehicle that is stopped as a result of a traffic stop or a stop for another law enforcement purpose or is the driver or an occupant of a commercial motor vehicle that is stopped by an employee of the motor carrier enforcement unit for the purposes defined in Ohio R.C. 5503.34, and who is transporting or has a loaded handgun in the motor vehicle or commercial motor vehicle in any manner, shall do any of the following:

(1) Before or at the time a law enforcement officer asks if the person is carrying a concealed handgun, knowingly fail to disclose that the person then possesses or has a loaded handgun in the motor vehicle, provided that it is not a violation of this division if the person fails to disclose that fact to an officer during the stop and the person already has notified another officer of that fact during the same stop;

(2) Before or at the time an employee of the motor carrier enforcement unit asks if the person is carrying a concealed handgun, knowingly fail to disclose that the person then possesses or has a loaded handgun in the commercial motor vehicle, provided that it is not a violation of this division if the person fails to disclose that fact to an employee of the unit during the stop and the person already has notified another employee of the unit of that fact during the same stop;

(3) Knowingly fail to remain in the motor vehicle while stopped, or knowingly fail to keep the person's hands in plain sight at any time after any law enforcement officer begins approaching the person while stopped and before the law enforcement officer leaves, unless the failure is pursuant to and in accordance with directions given by a law enforcement officer.

(4) Knowingly have contact with the loaded handgun by touching it with the person's hands or fingers in the motor vehicle at any time after the law enforcement officer begins approaching and before the law enforcement officer leaves, unless the person has contact with the loaded handgun pursuant to and in accordance with directions given by the law enforcement officer.

(5) Knowingly disregard or fail to comply with any lawful order of any law enforcement officer given while the motor vehicle is stopped, including, but not limited to, a specific order to the person to keep the person's hands in plain sight.

(e) (1) **Subsections (a), (b) and (d) of this section do not apply to any of the following:**

A. An officer, agent or employee of this or any other state or the United States, or a law enforcement officer, when authorized to carry or have loaded or accessible firearms in motor vehicles and acting within the scope of the officer's, agent's or employee's duties;

B. Any person who is employed in this State, who is authorized to carry or have loaded or accessible firearms in motor vehicles, and who is subject to and in compliance with the requirements of Ohio R.C. 109.801, unless the appointing authority of the person has expressly specified that the exemption provided herein does not apply to the person.

(2) Subsection (a) **and (b)** of this section does not apply to a person who transports or possesses a handgun in a motor vehicle if, at the time of that transportation or possession, both of the following apply:

A. The person transporting or possessing the handgun has been issued a concealed handgun license that is valid at the time in question or the person is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in Ohio R.C. 2923.125(G)(1).

B. The person transporting or possessing the handgun is not knowingly in a place described in division (B) of Ohio R.C. 2923.126.

(3) Subsection (a) **and (b)** of this section does not apply to a person if all of the following apply:

A. The person possesses a valid all-purpose vehicle permit issued under Ohio R.C. 1533.103 by the Chief of the Division of Wildlife.

B. The person is on or in an all-purpose vehicle as defined in Ohio R.C. 1531.01 on private or publicly owned lands or on or in a motor vehicle during the open hunting season for a wild quadruped or game bird.

C. The person is on or in an all-purpose vehicle as defined in Ohio R.C. 1531.01 or a motor vehicle that is parked on a road that is owned or administered by the Division of Wildlife.

(f) (1) The affirmative defenses authorized in Section 549.02(d)(1) and (2) are affirmative defenses to a charge under subsection (a) that involves a firearm other than a handgun.

(2) It is an affirmative defense to a charge under subsections (a) **and (b)** of improperly handling firearms in a motor vehicle that the actor transported or had the firearm in the motor vehicle for any lawful purpose and while the motor vehicle was on the actor's own property, provided that the affirmative defense is not available unless the person, immediately prior to arriving at the actor's own property, did not transport or possess the firearm in a motor vehicle in a manner prohibited by subsections (a) **and (b)** while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic.

(g) (1) No person who is charged with a violation of subsection (a), **(b) or (c)** shall be required to obtain a concealed handgun license as a condition for the dismissal of the charge.

(2) If a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of subsection (d) of this section as it existed prior to September 30, 2011, and the conduct that was the basis of the violation no longer would be a violation of subsection (d) of this section on or after September 30, 2011, or if a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of subsections (d)(1) or (2) of this section as **it existed prior to the effective date of this amendment**, the person may file an application under Ohio R.C. 2953.37 requesting the expungement of the record of conviction.

If a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of subsection (a) or (b) of this section as the subsection existed prior to September 30, 2011, and if the conduct that was the basis of the violation no longer would be a violation of subsections (a) or (b) of this section on or after September 30, 2011, due to the application of subsection (e)(2) of this section as it exists on and after September 30, 2011, the person may file an application under Ohio R.C. 2953.37 requesting the expungement of the record of conviction.

(h) Whoever violates this section is guilty of improperly handling firearms in a motor vehicle. A violation of subsection (b) of this section is a misdemeanor of the fourth degree. **A violation of subsection (c) of this section is a felony of the fifth degree or, if the loaded handgun is concealed on the person's person, a felony of the fourth degree.** A violation of subsection (d)(1) or (2) of this section is a misdemeanor of the second degree. **A violation of subsection (d)(4) of this section is a felony of the fifth degree.** A violation of subsection (d)(3) or (5) of this section is a misdemeanor of the first degree or, if the offender previously has been convicted of or pleaded guilty to a violation of subsection (d)(3) or (5) of this section, a felony **of the fifth degree.** In addition to any other penalty or sanction imposed for a misdemeanor violation of subsection (d)(3) or (5) of this section, the offender's concealed handgun license shall be suspended pursuant to Ohio R.C. 2923.128(A)(2). **A violation of division (a) of this section is a felony of the fourth degree.**

(i) If a law enforcement officer stops a motor vehicle for a traffic stop or any other purpose, if any person in the motor vehicle surrenders a firearm to the officer, either voluntarily or pursuant to a request or demand of the officer, and if the officer does not charge the person with a violation of this section or arrest the person for any offense, the person is not otherwise prohibited by law from possessing the firearm, and the firearm is not contraband, the officer shall return the firearm to the person at the termination of the stop. If a court orders a law enforcement officer to return a firearm to a person pursuant to the requirement set forth in this subsection, division (B) of Ohio R.C. 2923.163 applies.

(j) As used in this section:

(1) "Commercial motor vehicle" has the same meaning as in Ohio R.C. 4506.25(A).

(2) "Motor carrier enforcement unit" means the motor carrier enforcement unit in the Department of Public Safety, Division of State Highway Patrol, that is created by Ohio R.C. 5503.34.

(3) “Motor vehicle”, “street” and “highway” have the same meanings as in Ohio R.C. 4511.01.

(4) A. “Unloaded” means:

1. With respect to a firearm other than a firearm described in subsection (j)(4)B. of this section, that no ammunition is in the firearm in question, no magazine or speed loader containing ammunition is inserted into the firearm in question and one of the following applies:

a. There is no ammunition in a magazine or speed loader that is in the vehicle in question and that may be used with the firearm in question.

b. Any magazine or speed loader that contains ammunition and that may be used with the firearm in question is stored in a compartment within the vehicle in question that cannot be accessed without leaving the vehicle or is stored in a container that provides complete and separate enclosure.

2. For the purposes of subsection (j)(4)A.1.b. of this section, a “container that provides complete and separate enclosure” includes, but is not limited to, any of the following:

a. A package, box or case with multiple compartments, as long as the loaded magazine or speed loader and the firearm in question either are in separate compartments within the package, box, or case, or, if they are in the same compartment, the magazine or speed loader is contained within a separate enclosure in that compartment that does not contain the firearm and that closes using a snap, button, buckle, zipper, hook and loop closing mechanism, or other fastener that must be opened to access the contents or the firearm is contained within a separate enclosure of that nature in that compartment that does not contain the magazine or speed loader;

b. A pocket or other enclosure on the person of the person in question that closes using a snap, button, buckle, zipper, hook and loop closing mechanism, or other fastener that must be opened to access the contents.

3. For the purposes of subsection (j)(4)A. of this section, ammunition held in stripper-clips or in en-bloc clips is not considered ammunition that is loaded into a magazine or speed loader.

B. “Unloaded” means, with respect to a firearm employing a percussion cap, flintlock, or other obsolete ignition system, when the weapon is uncapped or when the priming charge is removed from the pan.

(k) Subsection (j)(4) of this section does not affect the authority of a person who has been issued a concealed handgun license that is valid at the time in question to have one or more magazines or speed loaders containing ammunition anywhere in a vehicle, without being transported as described in those divisions, so long as no ammunition is in a firearm, other than a handgun, in the vehicle other than as permitted under any other provision of this chapter **or Ohio R.C. Chapter 2923**. A person who has been issued a concealed handgun license that is valid at the time in question may have one or more magazines or speed loaders containing ammunition anywhere in a vehicle without further restriction, as long as no ammunition is in a firearm, other

than a handgun, in the vehicle other than as permitted under any provision of this chapter **or Ohio R.C. Chapter 2923.**

(ORC 2923.16)”

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

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

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

REQUEST FOR COUNCIL ACTION

No. RCA 24-200 9-23

FROM: Andrew Dutton

Committee: Finance

DATE: September 18, 2024

SUBJECT: REVISION #2 - PY 2022 CHIP Private Rehab Project at 850 North Huntington Street

SUMMARY AND BACKGROUND:

Exterior work for the project included the installation of new gutters and downspouts, a new kitchen vent, the reconstruction of a concrete patio, new vinyl replacement windows, and new doors. Interior work for the project included new doors, ceiling repair, a new dryer vent, a new gas range and vent, a dishwasher, smoke and carbon monoxide detectors, and updated electrical throughout the home.

Ordinance 03-24 (1/8/24)

Approval to use \$40,575 from Account 139-0462-52215 (CHIP HOME) to conduct the project.

Ordinance 26-24 (2/13/24)

Approval to use the following two Accounts to conduct the project:

Account 139-0462-52215 (CHIP HOME) - \$25,575.00

Account 129-0463-52215 (CHIP-LAP) - \$15,000.00

Total \$40,575.00

Current Request

A change order to add \$7,500 to the project for a new electrical panel and deduct \$600 to remove a kitchen vent for a net change of \$6,900. In addition, a revision to use the following two Accounts to conduct the project:

Account 139-0462-52215 (CHIP HOME) - \$40,575.00

Account 137-0407-52215 (CHIP-PROGRAM INCOME) - \$6,900.00

Total \$47,475.00

Project Number: AC-22-07 (CHIP Funds)

Estimated Cost: \$47,475.00

Suggested Funding:

- sufficient funds in Account No. 139-0462-52215 & 137-0407-52215
- transfer needed from Account No. _____ to Account No. _____
- NEW APPROPRIATION needed in Account No. _____

Emergency Clause Requested: Yes

Reason: The project has been completed and we just received the above changes from our consultant.

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken:

Ord./Res.

Date:



September 18, 2024

Mr. Andrew Dutton
Community Development Director
City of Medina
132 North Elmwood Avenue
Medina, Ohio 44256
adutton@medinaoh.org

Re: City of Medina PY2022 CHIP
Kleinfelder Project No.: 20233423.002A-6027

Dear Mr. Dutton:

Please be advised of Change Order #2:

<u>Applicant</u>	<u>Amount</u>	<u>Contractor</u>
Richard F. Hurst 850 North Huntington Street Medina, Ohio 44256 (Private Owner Rehab)	\$6,900.00 (City of Medina HOME Program Income)	Green Home Solutions 4900 Brook Park Road Cleveland, Ohio 44134 Federal Tax ID#: 27-1075386

Add Items:

1. Replace electric panel with new 100amp panel, new service wire, and new meter box. (\$7,500)
2. Specification #17 – only applies to range vent – not venting through the roof. (\$0)

Delete Items: Specification #3 – delete (-\$600)

The project change will use the City of Medina HOME Program Income funds for Private Owner Rehab in the amount of \$6,900 (hard cost) for Change Order #2. The total project cost is estimated at \$59,9755 (including \$12,500 for Kleinfelder’s soft cost and \$47,475 for hard cost).

Should you have any questions or concerns, please do not hesitate to contact me directly at (567) 331-2679.

Sincerely,

KLEINFELDER

Brandi Cowell

Brandi Cowell
Program Administrator
Representative for the City of Medina CHIP

OHCP #46

CHANGE ORDER # 2

Owners Richard Hurst
Address 850 North Huntington Street
Medina, Ohio 44256

Contractor Green Home Solutions
Address 4900 Brookpark Rd.
Cleveland, Ohio 44134

Add Items

Description	Price (+)
<u>1. Replace Electric panel with New 100Amp panel, new Service wire, and New Meter box</u>	<u>\$ 7,500.00</u>
<u>2. Spec 17 only applies to range vent - not venting through roof.</u>	<u>0</u>
Total Additions:	<u>\$ 7,500.00</u>

Delete Items

Specification #	Description	Price (-)
<u>Spec # 3 - delete</u>		<u>-600.00</u>
Total Deletions:		<u>\$ 600.00</u>
Net Difference:		<u>\$ 6,900.00</u>

Original Contract Amount		<u>\$ 40,575.00</u>
Total Change Orders to Date	(+)	<u>\$ 0</u>
Additions to Contract this change order	(+)	<u>\$ 7,500.00</u>
Deletions to Contract this change order	(-)	<u>\$ 600.00</u>
New Contract Amount	(=)	<u>\$ 47,475.00</u>

Revised contract completion date 10-14-24 Reason Contractor Behind

Richard Hurst
Owner

7-11-24
Date

Owner

Date 7/11/24

Contractor

Date 7-11-24

Housing Staff

Date

From: [Andrew Dutton](#)
To: [Brandi Cowell](#)
Cc: [James Good](#); [Barbara Dzur](#); [Sarah Tome](#)
Subject: RE: City of Medina PY2022 CHIP
Date: Monday, July 29, 2024 2:58:34 PM
Attachments: [image006.png](#)

External Email

Brandi,

We are good to use the \$7,500 of program income on the Hurst project.

Andrew Dutton

Community Development Director

City of Medina

adutton@medinaoh.org

330-722-9023



From: Andrew Dutton

Sent: Monday, July 29, 2024 2:00 PM

To: Brandi Cowell <BCowell@kleinfelder.com>

Cc: James Good <JGood@kleinfelder.com>; Barbara Dzur <bdzur@medinaoh.org>; Sarah Tome <stome@medinaoh.org>

Subject: RE: City of Medina PY2022 CHIP

Brandi,

We've been directed by the state to use the program income for the ongoing 2020 CHIP project at 30 Circle Dr. At this time, we still have miscellaneous items left on the project (windows, doors, garage door, etc.), which I can't imagine would exceed \$79k. However, let us discuss internally to make sure we can take care of 30 Circle Dr. with \$7,500 to spare.

-Andrew

Andrew Dutton

Community Development Director

City of Medina

adutton@medinaoh.org

330-722-9023

REQUEST FOR COUNCIL ACTION

From: Nate Eppink, Director Medina County Park District No. RCA 24-199. 9/23

Date: September 16, 2024 **Committee:** Public Properties

Subject: Lake Medina Improvements, Trail Planner

Summary and background:

Nate Eppink, Director of the Medina County Park district respectfully requests a discussion with the City of Medina's Public Properties Committee to discuss future plans and ideas for Lake Medina, as well as a new Trail Planner position they are considering.

Estimated Cost: TBD

Suggested Funding:

Sufficient Funds in Account: TBD

Transfer Needed From:

To:

New Appropriation Needed into Account:

Emergency Clause Requested: Yes ___ No ___

Reason:

COUNCIL USE ONLY:

Committee Recommendation:

Ord./Res.:

Date: