

**CITY OF MEDINA
AGENDA FOR COUNCIL MEETING**

January 9, 2023
Medina City Hall – Council Rotunda
7:30 p.m.

Public Hearing.

For a Zoning Map Amendment to change the zoning of a property located south of Lafayette Road and west of Industrial Parkway with Parcel Number 028-19C-17-041 from I-1 (Industrial) to R-3 (High Density Urban Residential), to develop the site for an extension of the existing mobile home park to the north.

Call to Order.

Roll Call.

Reading of minutes. (December 12, 2022, January 4, 2023 Organizational)

Reports of standing committees.

Requests for council action.

Reports of municipal officers.

United Way of Summit & Medina Counties Presentation
Malinda Sampsell – Associate Vice President, Financial Stability & Health
Nicole Chavers – Director, Financial Empowerment
Sara Mckay – Coach, Financial Empowerment – Medina
Paul Khacherian – Director, Community Impact - Medina

Motion by Council to authorize designee for public records training.

Motion to designate Clerk of Council and/or Deputy Clerk of Council, to act as the Mayor and Council's designee to attend public records training as required by Sections 149.43 and 109.43 of the Ohio Revised Code.

Notices, communications and petitions.

Unfinished business.

Introduction of visitors.
(speakers limited to 5 min.)

Introduction and consideration of ordinances and resolutions.

Motion to suspend the Rules requiring three readings on the following ordinances and resolutions: Ord. 1-23, Ord. 2-23, Ord. 3-23, Res. 4-23, Ord. 5-23, Ord. 6-23, Ord. 7-23, Ord. 8-23, Ord. 9-23, Ord. 10-23, Ord. 11-23, Ord. 12-23, Ord. 13-23

Ord. 1-23

An Ordinance authorizing the expenditure to Epic Aviation for the purchase of Jet-A Fuel at the Medina Municipal Airport.
(emergency clause requested)

Ord. 2-23

An Ordinance authorizing the increase off the expenditure to Mason Custom Builders for the Service Department.
(emergency clause requested)

Ord. 3-23

An Ordinance authorizing the payment to Software Solutions Inc. (SSI) for annual support services for the City's VIP Professional Accounting System.

Res. 4-23

A Resolution requesting the County Auditor to make tax advances during the year 2023 pursuant to Ohio Revised Code Section 321.34.
(emergency clause requested)

Ord. 5-23

An Ordinance authorizing the Job Creation Grant Agreement for Agrati, Inc.

Ord. 6-23

An Ordinance accepting a Dedication Plat for a Public Alley.

Ord. 7-23

An Ordinance amending Section 943.02 of the Codified Ordinances of the City of Medina, Ohio relative to the General Regulations for the Spring Grove Cemetery.

Ord. 8-23

An Ordinance amending Section V, VI and VII of the Civil Service Rules and Regulations of the City of Medina relative to Lateral Entry of Patrol Officers.
(emergency clause requested)

Ord. 9-23

An Ordinance authorizing the Mayor to execute a contract with EnviroScience, Inc. for site investigation, design, permitting and construction oversight services as part of the Rocky River Stabilization Project at Huffman Cunningham Park.

Medina City Council
January 9, 2023

Ord. 10-23

An Ordinance amending Sections 31.05 and 31.07 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the reorganization of the Parks and Recreation Department and the Recreation Center, and accepting various new and revised job descriptions.

Ord. 11-23

An Ordinance authorizing an expenditure not to exceed \$45,000.00 to Baker Dublikar Wiley & Mathews for legal services for the Law Department.

Ord. 12-23

An Ordinance amending Ordinance No. 168-22, passed September 12, 2022, relative to the expenditure to C & J Noble Construction for rehabilitation work at 172 Normandy Dr., Brunswick.
(emergency clause requested)

Ord. 13-23

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

Council comments.

Adjournment.

REQUEST FOR COUNCIL ACTION

From: Andrew Dutton

No. RCA 22-258-11/28

Date: 11/15/2022

Committee: Finance

Subject: Zoning Map Amendment to change the zoning of a property located south of Lafayette Road and west of Industrial Parkway with Parcel Number 028-19C-17-041 from I-1 (Industrial) to R-3 (High Density Urban Residential).

Summary and Background:

The applicant, James Hauch representing Brookdale Mobile Home Park, has requested a Zoning Map Amendment to change the zoning of the subject property from I-1 to R-3. Though not required for a Zoning Map Amendment application, the applicant has indicated that the purpose of the rezoning is to develop the site for an extension of the existing mobile home park to the north. A concept plan has been provided illustrating a potential layout for a mobile home park on the property, which is a Conditional Use in the proposed R-3 zoning district.

At the November 10, 2022 Planning Commission meeting, the Commission reviewed the application and voted unanimously to recommend **approval** of the Zoning Map Amendment request.

The Zoning Map Amendment request will require a public hearing before City Council.

Included with this request are the application, staff report, and draft minutes from the Planning Commission's meeting on 11/10/22.

Estimated Cost: N/A

Suggested Funding

Sufficient funds in Account:

Transfer needed From:

To:

New Appropriation needed in Account:

*Jim - big concern is next to properties - Doesn't seem consistent to what we've done in the past.
Andrew - property is land-locked.
Bier - Noise issues?
Coyne - abstain
Andrew - fence or landscaping
Jim Hauch - willing to work on addressing noise in satisfactory manner
Public Hrg. Jan. 9, 2023*

Emergency Clause Requested: Yes No

Reason:

COUNCIL USE ONLY:

Committee Action/Recommendation:

Council Action Taken: ~~11-28-22~~ ~~1-9-23~~ Set public hrg.

*JS/DS 6-1 1-9-23
Coyne abstain*

Ord./Res.

Date:

Medina County Gazette - Legal Advertising
Please publish once: November 30, 2022

NOTICE OF PUBLIC HEARING

Medina City Council will hold a public hearing Monday, January 9, 2023 at 7:30 p.m. in the Council Rotunda of the Medina City Hall located at 132 North Elmwood Avenue, Medina, Ohio.

The public hearing is for a Zoning Map Amendment to change the zoning of a property located south of Lafayette Road and west of Industrial Parkway with Parcel Number 028-19C-17-041 from I-1 (Industrial) to R-3 (High Density Urban Residential), to develop the site for an extension of the existing mobile home park to the north.

Interested persons are requested to appear and voice their opinions thereto.

By order of the Council of the City of Medina, Ohio.

Kathy Patton, CMC, Clerk of Council
City of Medina



BOARDS & COMMISSIONS APPLICATION

132 North Elmwood Avenue
330-722-9038
www.medinaoh.org

Application Number P22-27

GENERAL	Date of Application <u>10/14/22</u> Property Location <u>1166 Lafayette Rd / Industrial Pkwy Parcel # 028-19C-17-041</u> Description of Project <u>Expansion of Brookdale mobile home park</u>
CONTACT INFORMATION	Applicant Name <u>Brookdale MHP, LLC</u> Address <u>217 E Main St</u> City <u>Kent</u> State <u>OH</u> Zip <u>44240</u> Phone <u>330-676-9440</u> Email <u>jimhauch@gmail.com</u> Property Owner Name <u>James Hauch</u> Address <u>201 Emerald Ave</u> City <u>Streetsboro</u> State <u>OH</u> Zip <u>44241</u> Phone <u>330-519-7343</u> Email <u>jimhauch@gmail.com</u>
APPLICATION TYPE	Planning Commission Site Plan <input type="checkbox"/> Conditional Zoning Certificate <input type="checkbox"/> Code or Map Amendment <input checked="" type="checkbox"/> Preliminary Plan <input type="checkbox"/> Final Plat <input type="checkbox"/> Conditional Sign (EMC/Shopping Ctr) <input type="checkbox"/> Cert. of Appr. (TCOV) <input type="checkbox"/> Other <input type="checkbox"/> Historic Preservation Board Certificate of Appropriateness <input type="checkbox"/> Conditional Sign <input type="checkbox"/> Board of Zoning Appeals Variance <input type="checkbox"/> Appeal <input type="checkbox"/>
APPLICANT SIGNATURE	By signing this application, I hereby certify that: 1) The information contained in this application is true and accurate to the best of my knowledge; 2) I am authorized to make this application as the property owner of record or I have been authorized to make this application by the property owner of record; 3) I assume sole responsibility for correspondence regarding this application; and 4) I am aware that all application requirements must be submitted prior to the formal acceptance of my application. Signature <u></u> Date <u>10/14/22</u>
OFFICIAL USE	Zoning District <u>I-1</u> Fee (See Fee Sheet) \$ <u>200</u> Meeting Date <u>11/10/22</u> Check Box when Fee Paid <input checked="" type="checkbox"/>



CITY OF MEDINA

Community Development Department

132 N. Elmwood Ave. Medina, OH 44256

Phone: 330-722-9056 Fax: 330-764-4385

November 14, 2022

James Hauch
870 Beechwood Dr
Medina, OH 44256

Dear Mr. Hauch,

At the November 10, 2022 meeting of the City of Medina Planning Commission, a motion was made to recommend approval of application P22-27: Jim Hauch requesting a zoning map amendment to change the zoning of 14.9 acres south of Lafayette Road and west of Industrial Parkway with Parcel Number 028-19C-17-041 from I-1 (Industrial) to R-3 (Medium Density Residential).

The motion received the necessary votes of the Commission and the application will be forwarded to City Council with the **recommendation of approval**.

City Council will hold a public hearing regarding the application at an upcoming meeting followed by a review of the request.

Please feel free to contact me at (330) 722-9023 or adutton@medinaoh.org if you have any questions or need any further information.

Sincerely,

Andrew Dutton
Community Development Director

P22-27

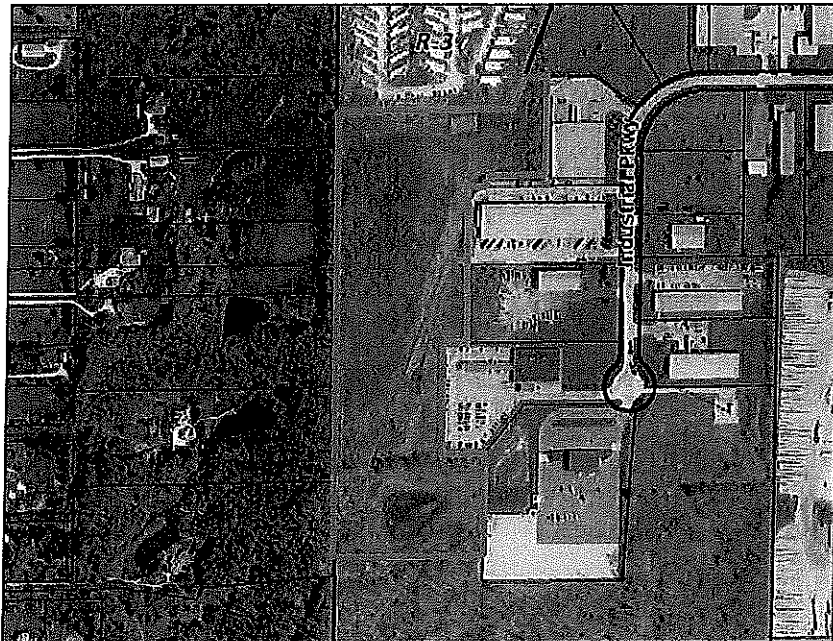
Brookdale Mobile Home Park Zoning Map Amendment

Property Owner: Brookdale Park LLC
Applicant: James Hauch
Location: South of Lafayette Rd. and west of Industrial Pkwy with Parcel Number 028-19C-17-041
Zoning (Existing): I-1 (Industrial)
Zoning (Proposed): R-3 (High Density Urban Residential)
Request: Zoning Map Amendment approval to change the zoning from I-1 to R-3

LOCATION AND SURROUNDING USES

The subject site is composed of two properties encompassing 14.88 acres located south of the existing Brookdale Mobile Home Park on Lafayette Road. Adjacent properties contain the following uses and zoning:

- North – Brookdale MH Park (R-3)
- East – Industrial (I-1)
- South – Undeveloped (I-1)
- West – Single-Family Residential (Outside the City)



BACKGROUND & PROPOSED APPLICATION

The subject site is an undeveloped wooded undeveloped located to the rear of residential and industrial uses. The applicant is proposing to change the zoning of two properties from I-1 to R-3.

A Zoning Map amendment application only considers the change of the city's official Zoning Map from one zoning to another. Any development of the site must proceed through review processes as required by the City of Medina Codified Ordinances. Development of the site would include review by the Planning



Commission and Board of Zoning Appeals (if necessary). In addition, an administrative review would be performed by Planning and Zoning, Engineering, and Building Department staff.

Though not required for a Zoning Map Amendment application, the applicant has indicated that the purpose of the rezoning is to develop the site for the expansion of the Brookdale Mobile Home Park. A conceptual plan has been submitted indicating a potential layout for a mobile home park on the site.

PERMITTED USES AND STANDARDS

Uses

As summarized in the table below, Sections 1137.02, 1137.04, 1141.02, and 1141.04 include a list of all Permitted (P), Conditionally Permitted (C), and Prohibited (X or not included in the table) uses in the I-1 and R-3 zoning districts.

I-1 & R-3 PERMITTED USES		
Use Type	I-1	R-3
Residential Uses		
Single-Family Detached Dwelling	X	P
Group Home up to 8 Individuals	X	C
Two Family Dwelling	X	C
Nursing Home/Assisted Living	X	C
Mobile Home Park	X	C
Public/Semi-Public		
Cemetery	X	C
Conservation Use	C	C
Educational Institution for Primary Education	X	C
Educational Institution for Higher Education	C	C
Passenger Transportation Agency and Terminal	C	X
Public Recreation Facility	X	C
Publicly Owned or Operated Governmental Facility	C	C
Public Utility	P	X
Religious Place of Worship	X	C
Wireless Telecommunications Facility	C	X
Commercial Uses		
Commercial Entertainment	C	X
Commercial Recreation	C	X
Contractor's Equipment Storage Yard or Plant, or Storage and Rental of Equipment Commonly Used by Contractors - Must be Completely Enclosed if Facing a Residential Dist.	C	X
Cremation Facility	C	X
Distribution Center for Fuel, Food and Goods, Underground Storage - Must be Completely Enclosed if Facing a Non-Industrial Dist.	P	X

I-1 & R-3 PERMITTED USES		
Use Type	I-1	R-3
Commercial Uses (Continued)		
Heavy Duty Repair Services for Machinery and Equipment Including Repair Garages and Specialty Establishments including Motor, Body, Fender, Radiator Work.	P	X
Heavy Manufacturing	C	X
Light Manufacturing	P	X
Mixed Use Building	P	X
Motor Vehicle, Truck, Trailer and Farm Implements Repair, Service and Storage (Excluding Body Work, Painting and Engine Work)	C	X
Off-Street Parking Lot, Garage, or Deck	P	X
Office - Professional, Medical, and Administrative	P	X
Open Air Building materials Sales and Lumber Yard	C	X
Plant Greenhouse	P	X
Research and Development Laboratory and Processing with No External Hazardous, Noxious, or Offensive Conditions	P	X
Retail larger than 80,000 square feet in size	C	X
Retail less than 80,000 square feet in size	C	X
Self Storage Warehouse	P	X
Truck or Transfer Terminal - No Closer than 50 Feet from a Residential District	P	X
Truck Wash	C	X
Veterinary Office or Hospital in Enclosed Building	P	X
Warehousing	P	X
Wholesale Establishments	P	X

Many Conditional Permitted Uses include specific regulations and require approval from the Planning Commission. As a Conditional Permitted Use in the R-3 District, Mobile Home Parks are subject to a number of specific regulations including the following found in Sections 1.153.04(a)(8 & 30): 3,5,8,9,10,11,14,24,26,27, 28,30

- (8) Such developments should be located adjacent to nonresidential uses such as churches, parks, industrial or commercial districts.
- (10) Site locations should be preferred that offer natural or man-made barriers that would lessen the effect of intrusion into the area, especially if a residential area.
- (30) It is the intent of this subsection to permit trailer parks that house only independent trailers, and such trailer parks should be located on or have direct access to major thoroughfares. The area shall be in one ownership, or if in several ownerships the application shall be filed jointly by all the owners of the properties included in the plan. The following conditions shall apply:
 - A. In addition to the other requirements of this subsection, the application shall include any other data the Planning Commission may require.
 - B. Each boundary of the park must be at least 200 feet from any permanent residential building outside the park, unless separated therefrom by a natural or artificial barrier.
 - C. The park shall be graded to be well drained.
 - D. Trailer spaces shall be a minimum of 4,000 square feet for each space and at least forty (40) feet wide and clearly defined. The density of the development shall not exceed eight trailers per acre of total project site; the minimum size of the project to be developed shall be at least ten (10) acres.
 - E. There shall be at least a twenty (20) feet clearance between trailers. No trailer shall be closer than twenty (20) feet from any building within the park or fifty (50) feet from any property line building the park.
 - D. All trailer spaces shall abut upon a driveway of not less than twenty (20) feet in pavement width, which shall have unobstructed access to a public thoroughfare. All paving and street lighting shall meet the requirements of City street standards.
 - G. Each park shall provide service buildings to house laundry, storage facilities and offices. Construction shall meet the standards of the City and/or County Building Code. Walkways not less than four (4) feet wide and paved shall be provided from the trailer spaces to the service buildings.
 - H. Each trailer space shall be provided with a three (3)-wire 240-volt electric service, and City and/or County approved water and sewer connections; all utility lines within the park shall be installed underground.
 - I. Adequate garbage and rubbish cans shall be provided no further than 300 feet from any trailer space.
 - J. Each park shall be equipped at all times with adequate fire extinguishing equipment as determined by the Fire Department which serves that area.
 - K. No pet animal shall run at large or commit any nuisance within the limits of any trailer park, on adjacent properties or the surrounding area.
 - L. In addition to the 4,000 square feet of each trailer lot, recreation and open space shall be provided within the overall trailer park tract at the rate of at least 1,500 square feet per trailer site; the shape, location, design and landscaping of recreation and open spaces shall be approved by the Planning Commission. All recreation and open spaces shall be maintained in a neat, orderly and safe condition so as not to create a menace to the health and safety of any park occupant, visitor, neighboring land occupant or the general public.

Development Standards

Sections 1141.05 and 1137.05 include development standards for the I-1 and R-3 zoning districts:

SITE DEVELOPMENT STANDARDS FOR I-1 AND R-3 ZONING DISTRICTS		
Requirement	I-1	R-3
Minimum Lot Size	21,780 sq. ft.	<ul style="list-style-type: none"> • 8,000 square feet Single Family Detached Dwelling • 14,000 square feet all Other Uses
Minimum Lot Width at Building Line	100 ft.	<ul style="list-style-type: none"> • 75 Feet Single Family Detached Dwelling • 120 Feet all Other Uses
Minimum Lot Frontage	100 ft.	40 ft.
Maximum Lot Depth	None	None
Minimum Usable Open Space	None	None
Maximum Lot Coverage	85%	60%
Maximum Building Size	None	None
Minimum Front Yard	<ul style="list-style-type: none"> • 25 ft. • 100 ft. when Adjacent to a Residential District 	40 ft.
Minimum Rear Yard	<ul style="list-style-type: none"> • 25 ft. for Principal Use or Structure • 50 ft. Principal Use or Structure when Adjacent to a Residential District • 15 ft. for Accessory Use or Structure 	<ul style="list-style-type: none"> • 30 ft. for Principal Use or Structure • 5 ft. for Accessory Use or Structure
Minimum Side Yard	<ul style="list-style-type: none"> • 25 ft. Principal Use or Structure • 50 ft. Principal Use or Structure when Adjacent to a Residential District • 15 ft. for Accessory Use or Structure 	<ul style="list-style-type: none"> • 5 ft. for Principal Use or Structure • 5 ft. for Accessory Use or Structure
Maximum Height	<ul style="list-style-type: none"> • 50 ft. for Principal Use or Structure • 80 ft. for Principal or Accessory Use or Structure when setback at least 100 ft. from any site perimeter property line • 25 ft. for Accessory Use or Structure when located within the minimum rear or side yard for the Principal Use or Structure 	<ul style="list-style-type: none"> • 35 ft. for Principal Use or Structure • 15 ft. for Accessory Use or Structure

CONCEPT PLAN

Though not required at this time, the applicant has provided a Concept Plan to illustrate a potential development layout. The plan shows 61 lots for mobile/manufactured homes on private streets. An existing pond is located on the south side of the property, which will presumably contribute to stormwater detention and provide open space for residents. Based on the conceptual layout, additional screening will be necessary on the east and west sides of the property to buffer from single-family residential and industrial uses.

If the rezoning request is approved, Site Plan and Conditional Use Permit applications will need to be made to the Planning Commission for review. To note, a Conditional Use Permit application requires a public hearing before the Commission.

ENGINEERING AND FIRED DEPARTMENT COMMENTS

The existing Brookdale Mobile Home Park has a single access point off of Lafayette Road. Currently, a vehicle must travel approximately 2,350 ft. to reach the southwestern corner of the site from Lafayette Road. Any additional development connecting to the subject site will add to this length. For reference, the conceptual plan adds an additional 1,200 feet of travel distance to reach the furthest unit.

Both the Engineering and Fire Departments have noted that a secondary means of ingress/egress should be added to the property. The Fire Department has also noted that fire hydrants will necessary every 300 ft.

The Engineering Department has also noted that if the project progresses as presented, a left turn analysis for the Lafayette Road and a stormwater management analysis will be required.

The applicant has been made aware of the above comments and has indicated that a potential second access from Industrial Drive to the site may be achieved through undeveloped Parcel 028-19C-17-039.

COMPREHENSIVE PLAN (2022)

Plan Framework

The Comprehensive Plan includes a Plan Framework with includes general Vision Statements. Each Vision Statement includes a number of underlying objectives and specific strategies.

Vision Statement #3

A community that offers a variety of housing options for Medina residents while promoting high quality development and preserving historically significant areas.

Objective 4.1: Promote a mix of housing options.

4.1.2 Promote a mix of housing options (e.g. single-family, townhomes, flats, multi-family, etc.) that cater to and align with the changing demographic and market demands, specifically young professionals and seniors.

Objective 4.2: Target higher density residential development in focus areas and the urban corridor land use category.

4.2.2 Continue to find opportunities to add multi-family residential development along the major corridors in Medina (West Liberty, East Smith, South Court, Lafayette).

The proposed rezoning of the property would provide the opportunity for additional higher density residential development along a major corridor. The R-3 zoning also has the potential to offer a housing option that is affordable and may be attractive to seniors.

Future Land Use Map

The Future Land Use Map indicates a use of "Innovation" for the property. This future land use encompasses a large portion of the western side of the City and includes industrial, research, and office uses. At the time of the Map's formulation, the intention to expand the Brookdale Mobile Home Park was not know and the property was included with the adjacent Innovation area.



PLANNING AND ZONING DIVISION STAFF RECOMMENDATION

Staff recommends **approval** of application P22-27 to rezone the property south of Lafayette Rd. and west of Industrial Pkwy with Parcel Number 028-19C-17-041 from I-1 (Industrial) to R-3 (General Commercial).

Staff's recommendation is based on the appropriateness of the proposed zoning classification for the site and does not consider any specific use or plan for the site. It is staff's assessment that:

- The proposed zoning is compatible with the area, which is a transition from single-family residential uses to the west and industrial uses to the east.
- The application is consistent with aspects and objectives of the Comprehensive Plan and provides an opportunity to further diversify the City's housing stock with the potential to provide an affordable housing option.
- The Site Plan and administrative review processes will sufficiently address the impacts of development in the R-3 zoning district.

Andrew Dutton

From: Mark Crumley
Sent: Wednesday, October 26, 2022 8:32 AM
To: Andrew Dutton
Subject: FW: Site Plan Review
Attachments: P22-27 File 11-20-22.pdf

Andrew,

After review of the above said plans I have the following comments:

- 1) Fire hydrants will need to be located every 300 feet.
- 2) A second means of ingress/egress should be added to this property.

Mark Crumley, Asst. Chief
Medina Fire Department
300 W. Reagan Pkwy.
Medina, Ohio 44256

Office: 330-723-5704



Andrew Dutton

From: Patrick Patton
Sent: Tuesday, November 1, 2022 3:03 PM
To: Sarah Tome; Larry Walters; Medina Forestry; Edward Kinney; Sharon Garrison; Nino Piccoli; Daniel Gladish; Kimberly Marshall
Cc: Andrew Dutton
Subject: RE: Site Plan Review
Attachments: Engineering Checklist for Commercial Site Plan.pdf

Andrew-

I have no comments regarding the rezoning. When the Commission reviews the site plan, I will have the following comments:

1. A second entrance to this development should be required.
2. I will request that the applicant complete a left turn analysis to determine if the expansion will require improvements to the public roadway.
3. As noted in attached, a storm water management analysis will be required, it is likely that a storm detention system will be required.

Thanks,

Patrick Patton, PE
City Engineer
City of Medina, Ohio

Phone: (330) 721-4721
Email: ppatton@medinaoh.org
Website: www.medinaoh.org

Medina City Hall / 132 N. Elmwood Avenue / Medina, Ohio 44256





Thorson • Baker + Associates
CONSULTING ENGINEERS

structural
mechanical
electrical

civil
technology
commissioning

October 12, 2022

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

Re: Brookdale Mobile Home Park Expansion

Medina, OH

Dear Mr. Dutton:

Please accept this letter as an official request to amend the City of Medina Zoning Map. Brookdale Mobile Home Park (BMHP) is proposing to expand a new phase of the development to the south on Medina County Parcel Number 02819C17041 (14.88 Acres). This parcel is currently zoned I-1 (Industrial) and BMHP is proposing to re-zone this parcel to R-3 (High Density Urban Residential) to accommodate the proposed expansion.

If you have questions, please contact me.

Sincerely,

Thorson • Baker + Associates, Inc.
David L. Myers, P.E. & P.S.
Department Manager – Civil Department

PLAT OF SURVEY

CREATING MEDINA CITY LOTS 9199, 9200, 9201, 9202, 9203, 9204, & 9205

CITY: MEDINA C/L NO.: 8333, 4816 & 4895
 PROP OWNER: RAY E. LARIBEE
J. MICHAEL COOPER
GLENN M. SMITH
 COUNTY OF MEDINA & STATE OF OHIO
 DATE: DECEMBER 2017 SCALE: 1" = 100'
 BY: R. D. Damon & Son

ROBERT A. DAMON REGISTERED SURVEYOR NO. 6063



ACCEPTANCE

KNOW ALL MEN BY THESE PRESENTS THAT RAY E. LARIBEE, J. MICHAEL COOPER AND GLENN M. SMITH, OWNERS OF THE ABOVE DESCRIBED LAND, DO HEREBY ACKNOWLEDGE THIS PLAT AND SUBDIVISION OF THE SAME TO BE OUR FREE ACT AND DEED.

Ray E. Larabee DATE 1-22-2018
 RAY E. LARIBEE
J. Michael Cooper DATE 1-22-2018
 J. MICHAEL COOPER
Glenn M. Smith DATE 1-22-2018
 GLENN M. SMITH

COUNTY OF MEDINA } S.S.
 STATE OF OHIO }

BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED THE ABOVE SIGNED RAY E. LARIBEE, J. MICHAEL COOPER AND GLENN M. SMITH, ACKNOWLEDGED THE SIGNING OF THE FOREGOING INSTRUMENT AND THE SIGNING OF THIS PLAT TO BE THEIR OWN FREE ACT AND DEED. IN TESTIMONY WHEREOF I HAVE HERETO SET MY HAND AND OFFICIAL AND OFFICIAL SEAL OF SAID COUNTY, OHIO THIS 22 DAY OF JANUARY, 2018.

[Signature]
 NOTARY PUBLIC
 MICHAEL L. LARIBEE
 MY COMMISSION EXPIRES _____

APPROVED FOR TRANSFER THIS 12 DAY OF FEBRUARY, 2018.

RECEIVED FOR TRANSFER THIS 12 DAY OF FEBRUARY, 2018.

RECEIVED AND RECORDED THIS 12 DAY OF FEBRUARY, 2018
 AT 3:41 A.M./P.M.
 MEDINA COUNTY AUDITOR
[Signature]

RECORDED IN PLAT DOCUMENT NO. 20180000011
 FEE: \$ 43.20 + \$ 16.40

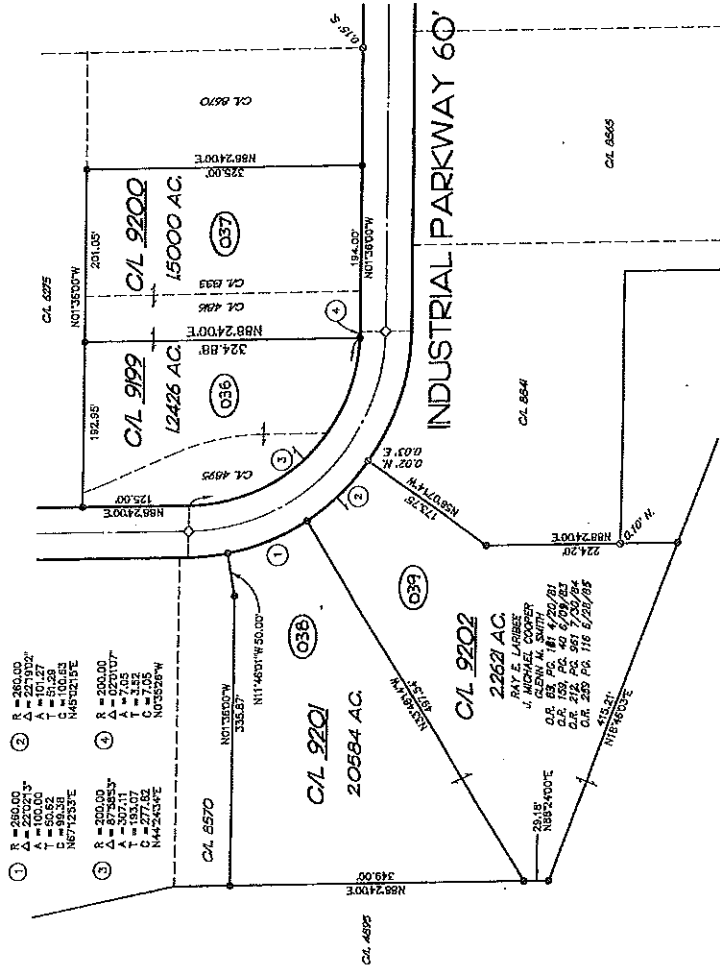
18" X 24"
[Signature]
 MEDINA COUNTY RECORDER

CUNNINGHAM & ASSOCIATES
 CIVIL ENGINEERING & SURVEYING
 203 W. LIBERTY ST., MEDINA, OH. 44256
 TELEPHONE (330) 725-5980
 SHEET 1 OF 2 PROJECT NO. 17-17

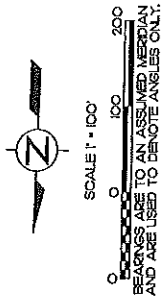
REFERENCE:
 MEDINA COUNTY RECORDERS PLAT RECORDS
 1998P-00000001
 2000P-00000007
 2000P-00000035
 2000P-00000041
 2000P-00000079
 2000P-00000079
 2007P-00000054
 1998P-00000005

INDUSTRIAL PARKWAY DEDICATION PLAT

SB 1/23/2018

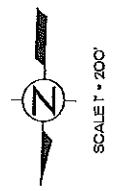


SEE SHEET 2 FOR REMAINING LOTS



PARCEL NUMBERS:
 02B-19C-17-0

- LEGEND:
- ⊗ 1/2" REBAR PD. & USED AS NOTED
 - ⊙ 5/8" REBAR PD. & USED AS NOTED
 - ⊙ 5/8" REBAR WITH CAP STAMPED
 - ⊙ 5/8" REBAR WITH CAP STAMPED
 - ⊙ 5/8" REBAR WITH CAP STAMPED
 - ⊙ 5/8" REBAR WITH CAP STAMPED
 - ⊙ 5/8" REBAR PD. & USED
 - ⊙ MON. BOX / 5/8" REBAR PD. & USED
 - CUNNINGHAM-527-A SET



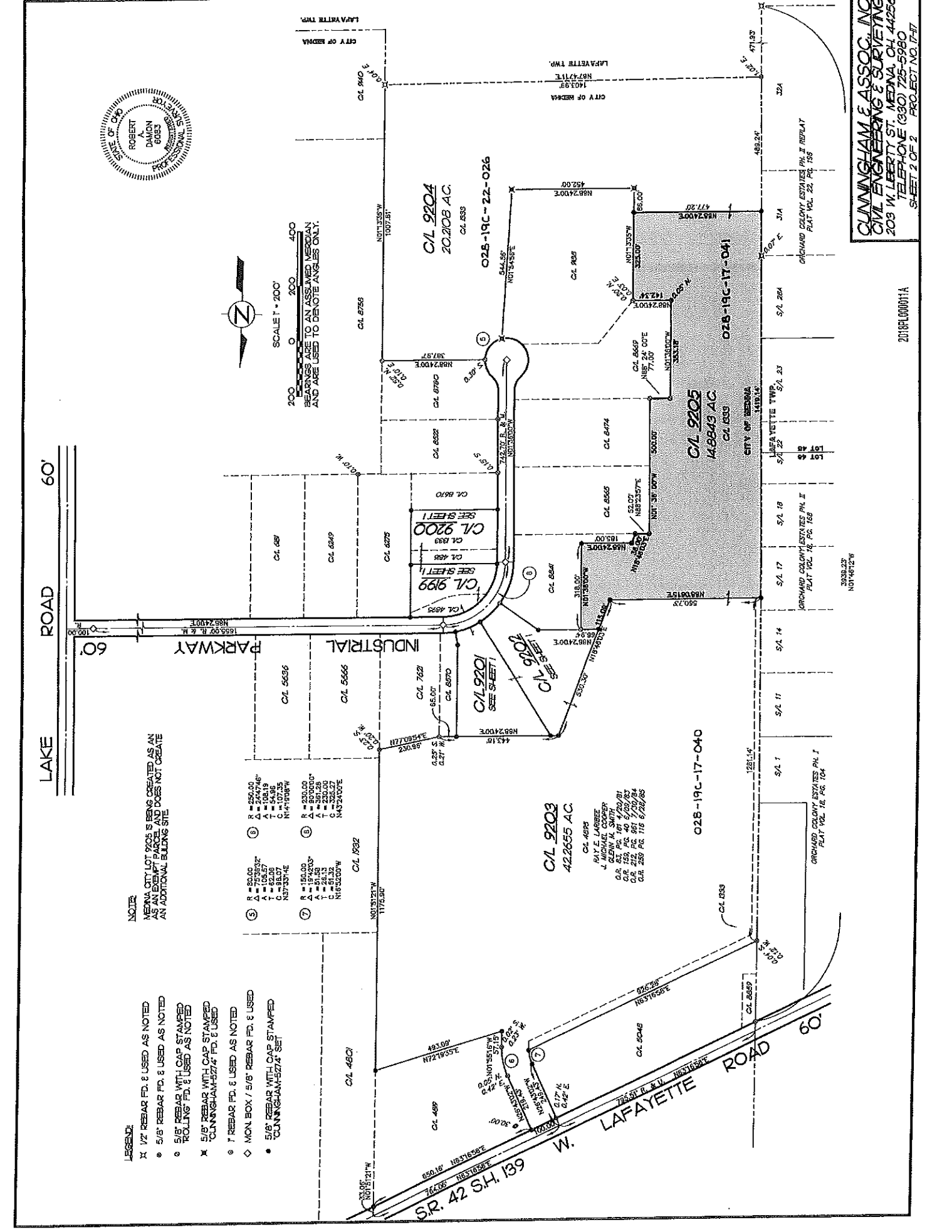
SCALE 1" = 200'
 READING'S ARE TO AN ASSUMED MERIDIAN
 AND ARE USED TO DENOTE ANGLES ONLY.

NOTE:
 MEDINA CITY LOT 9205 IS BEING CREATED AS AN
 OFFICE BUILDING AND DOES NOT CREATE
 AN ADDITIONAL BUILDING SITE

- LEGEND:**
- ✕ 1/2" REBAR FD. & USED AS NOTED
 - 5/8" REBAR FD. & USED AS NOTED
 - 5/8" REBAR WITH CAP STAMPED ROLLING FD. & USED AS NOTED
 - ✕ 5/8" REBAR WITH CAP STAMPED CUNNINGHAM-5274' FD. & USED
 - 1" REBAR FD. & USED AS NOTED
 - ◇ MON. BOX / 5/8" REBAR FD. & USED
 - 5/8" REBAR WITH CAP STAMPED CUNNINGHAM-5274' SET

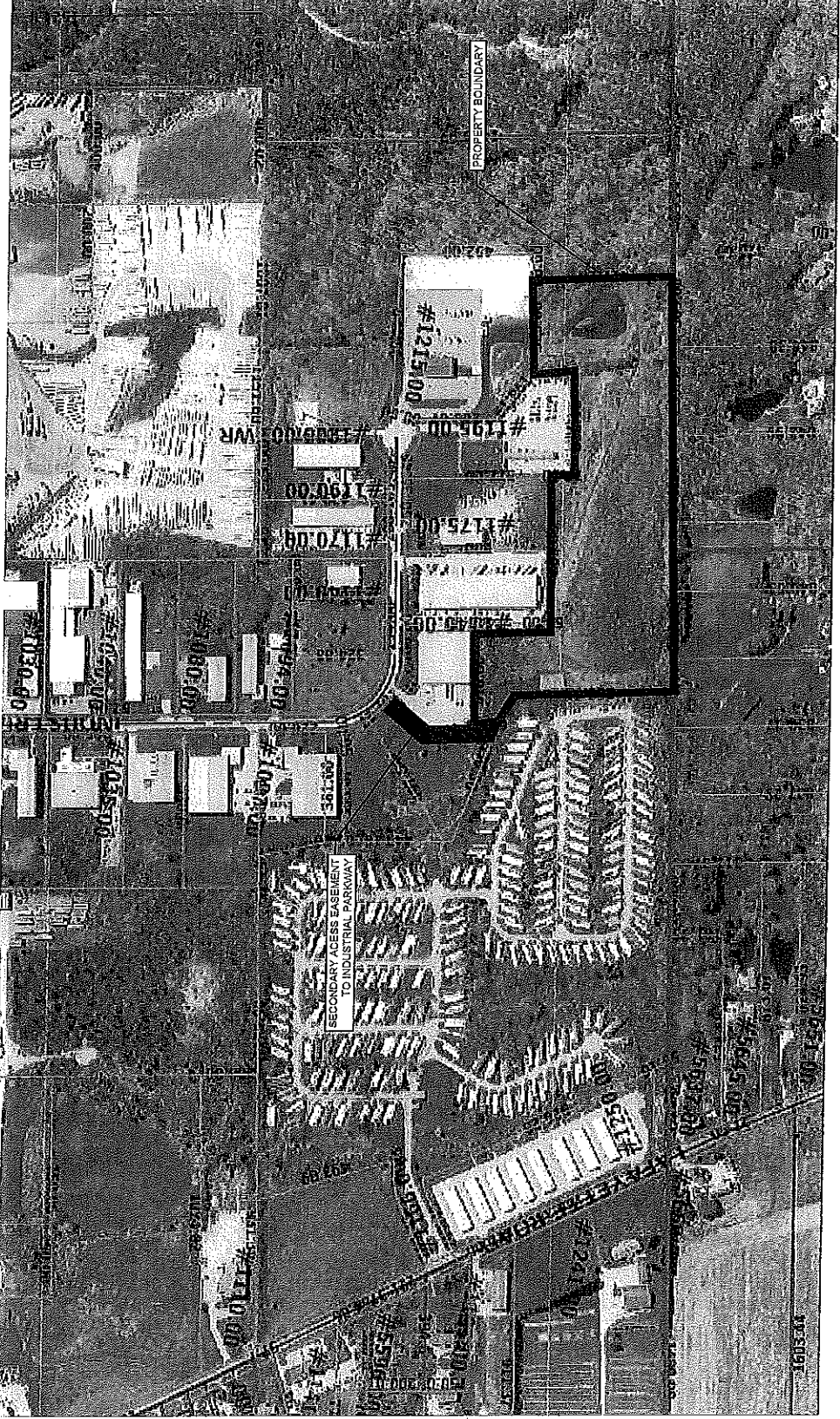
- ③ R = 80.00
 Δ = 2047.46°
 A = 106.57
 T = 54.88
 C = 4107.35
 N = 15108'W
- ④ R = 230.00
 Δ = 8700000°
 A = 31.26
 T = 24.13
 C = 225.27
 N = 432400'E
- ⑤ R = 150.00
 Δ = 194240°
 A = 106.57
 T = 24.13
 C = 225.27
 N = 432400'E

C/L 9203
 422655 AC.
 C/L 4695
 RAY E. LARSEN
 J. MICHAEL COOPER
 CLEVAIR M. SMITH
 C.R. 212 PG. 181 7/30/81
 C.R. 212 PG. 561 7/30/84
 C.R. 289 PG. 118 6/28/85

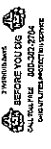


CUNNINGHAM & ASSOC. INC.
 CIVIL ENGINEERING & SURVEYING
 203 W. LEBERTY ST. MEDINA, OH 44256
 TELEPHONE (330) 725-5980
 SHEET 2 OF 2 PROJECT NO. 17-17

2018PL000011A



SECONDARY ACCESS
EASEMENT PLAN



THORSON BAKER + ASSOCIATES
CONSULTING ENGINEERS
2030 West Steeplechase Road
Midland, Ohio 44888
(330) 659-6608 Pk
(330) 659-6976 Fax

PROJECT NO. 2022-1108
CURRENT DATE 2/22/2023

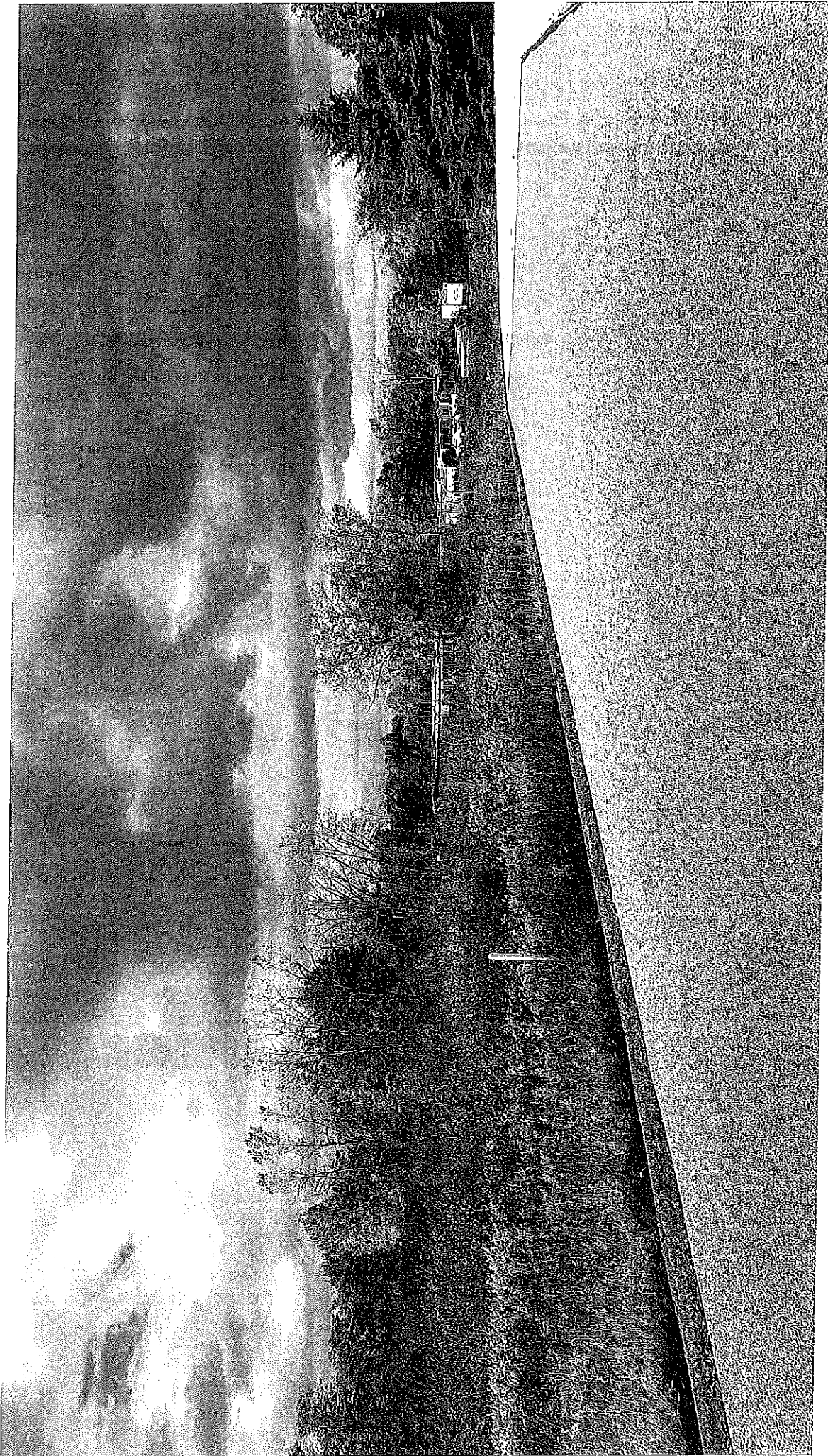
CS200

BROOKDALE MOBILE HOME PARK - CONCEPT PLAN

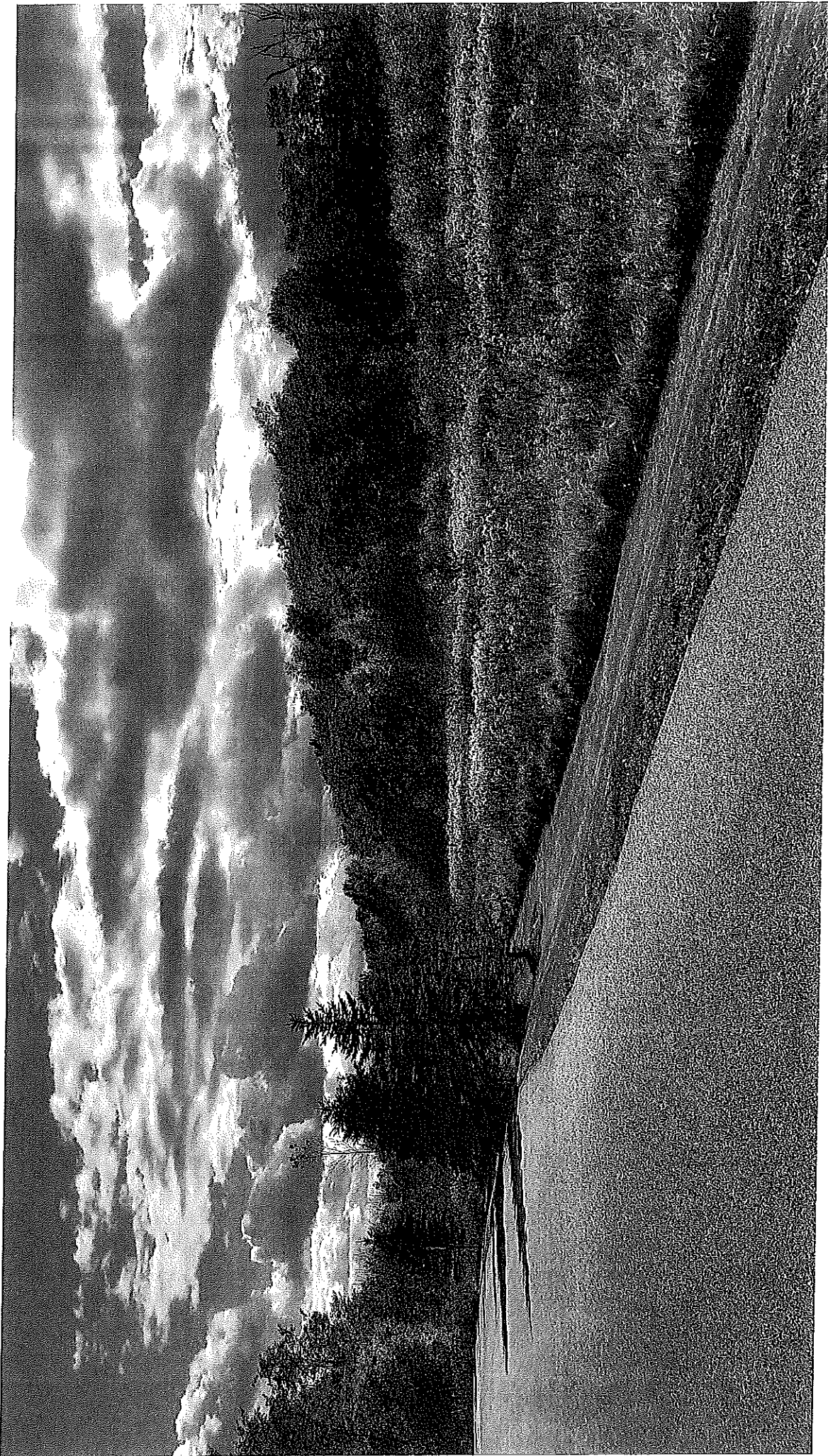
NO.	DESCRIPTION	DATE
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2	ISSUE DATE	2/22/2023
3	ISSUE DATE	2/22/2023
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5	ISSUE DATE	2/22/2023
6	ISSUE DATE	2/22/2023
7	ISSUE DATE	2/22/2023
8	ISSUE DATE	2/22/2023
9	ISSUE DATE	2/22/2023
10	ISSUE DATE	2/22/2023
11	ISSUE DATE	2/22/2023
12	ISSUE DATE	2/22/2023
13	ISSUE DATE	2/22/2023
14	ISSUE DATE	2/22/2023
15	ISSUE DATE	2/22/2023
16	ISSUE DATE	2/22/2023
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20	ISSUE DATE	2/22/2023

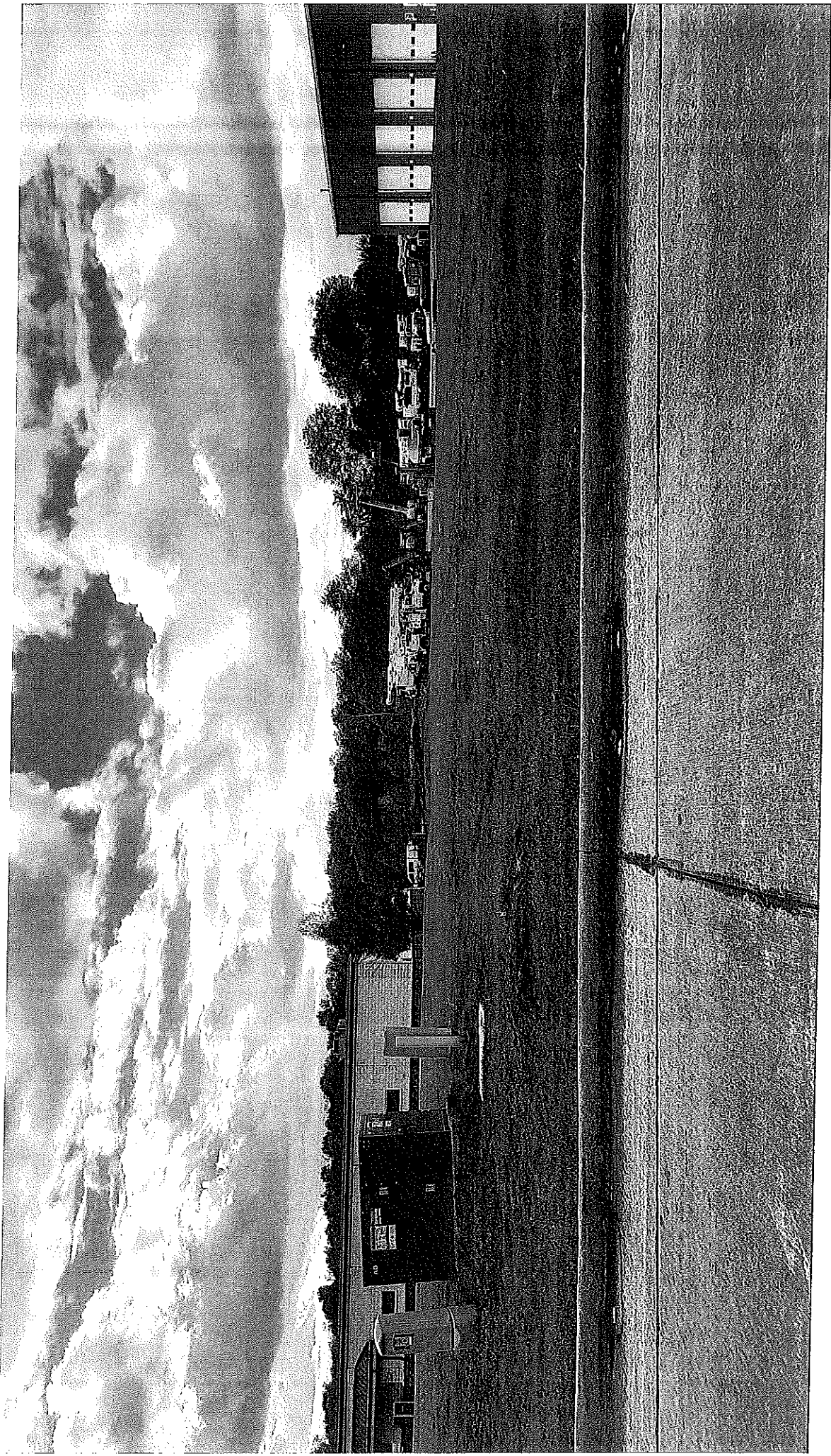
THORSON BAKER + ASSOCIATES
CONSULTING ENGINEERS
2030 West Steeplechase Road
Midland, Ohio 44888
(330) 659-6608 Pk
(330) 659-6976 Fax











Present for the case was Carl May of Medina Signs, 411 West Smith Road. Mr. May stated that he had nothing to add.

Mr. Grice opened the public hearing. There were no questions or comments from the public.

Mr. Gold made a motion to approve application P22-26 as submitted.

Ms. Russell seconded the motion.

Vote:

Gold	<u>Y</u>
Grice	<u>Y</u>
Rose	<u>Y</u>
Russell	<u>Y</u>
Case	<u>Y</u>
Approved	<u>5-0</u>

2. P22-27 James Hauch PP 028-19C-17-041 COM

Mr. Dutton stated that the applicant, James Hauch, was requesting Zoning Map Amendment approval to change the zoning from I-1 to R-3 for Parcel Number 028-19C-17-041. Mr. Dutton noted that a Zoning Map amendment application only considered the change to the city's official Zoning map from one zoning to another. He added that any development on the site would have to be reviewed by the Planning Commission.

Mr. Dutton stated that, though not required for a Zoning Map Amendment application, the applicant had indicated that the purpose of the rezoning was to develop the site for the expansion of the Brookdale Mobile Home Park. He added that a conceptual plan had been submitted indicating a potential layout for a mobile home park on the site. Mr. Dutton stated that both the Engineering and Fire Departments had noted that a secondary means of ingress/egress should be added to the property. He noted that the Engineering Department had also noted that if the project progressed as presented, a left turn analysis for the Lafayette Road and a stormwater management analysis would be required.

Mr. Dutton stated that staff recommended approval of application P22-27 to rezone the property south of Lafayette Rd. and west of Industrial Pkwy with Parcel Number 028-19C-17-041 from I-1 (Industrial) to R-3 (General Commercial). He added that staff's recommendation was based on the appropriateness of the proposed zoning classification for the site and did not consider any specific use or plan for the site. Mr. Dutton stated that it was staff's assessment that:

- The proposed zoning was compatible with the area, which was a transition from single-family residential uses to the west and industrial uses to the east.
- The application was consistent with aspects and objectives of the Comprehensive Plan and provided an opportunity to further diversify the City's housing stock with the potential to provide an affordable housing option.
- The Site Plan and administrative review processes would sufficiently address the impacts of development in the R-3 zoning district.

Present for the case was James Hauch and Giovanni Audino, 1166 Lafayette Road. Mr. Hauch stated that the proposed expansion would include 50 owner-occupied units. He noted that none of the mobile homes were rentals.

Mr. Rose asked if purchasing the new homes included the plot they sat on. Mr. Hauch stated that the plots were rented by the homeowners. He added that rent would be around \$340, which was what was charged for their current properties.

Mr. Grice asked if there were any comments from the public. There were no comments from the public.

Mr. Rose made a motion to recommend approval of the Zoning Map Amendment to Council.

Mr. Case seconded the motion.

Vote:

Gold	<u>Y</u>
Grice	<u>Y</u>
Rose	<u>Y</u>
Russell	<u>Y</u>
Case	<u>Y</u>
Approved	<u>5-0</u>

3. P22-28 Jeslyn Estep PP 029-19A-14-(022&023) SPA

Mr. Dutton stated that the applicant, Jeslyn Estep, was requesting Site Plan approval for four multi-tenant buildings on Branch Road. He stated that the applicant was proposing the construction of four multi-tenant buildings on the site, with unit sizes divided into 1,000 to 2,500 sq. ft. spaces and used for warehouse and office. Mr. Dutton noted that the site plan included 143 parking spaces. He added that, due to the unknown nature of the uses of the buildings, 18 "Land Banked" parking spaces were shown on the plan, as recommended by staff. Mr. Dutton stated that Land Banked spaces would not need to be initially constructed, but would be required if uses on the site exceeded the minimum off-street parking required. Mr.

MEDINA CITY COUNCIL
Monday, December 12, 2022

Call to Order:

Medina City Council met in regular session on Monday, December 12, 2022 at Medina City Hall. The meeting was called to order at 7:30 p.m. by Council President John Coyne III who led in the Pledge of Allegiance.

Roll Call:

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

Also present were the following members of the Administration: Mayor Dennis Hanwell, Greg Huber, Keith Dirham, Nino Piccoli, Patrick Patton, Police Chief Kinney, Fire Chief Walters, Andrew Dutton, Kimberly Marshall, Jansen Wehrley and Dan Gladish.

Minutes:

Mr. Shields moved that the minutes from the council meeting on Monday, November 28, 2022, as prepared and submitted by the Clerk be approved, seconded by Mr. Simpson. The roll was called and passed by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, B. Lamb, and P. Rose.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated the Finance Committee met prior to this evening's Council meeting and will meet again in January 2023.

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

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb had no report.

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

Water & Utilities Committee: Mrs. Hazeltine – Absent.

Emerging Technologies Committee: Mr. Rose stated there was a meeting of the Emerging Technologies Advisory Committee on December 5th. Decision was made to put out a link to a survey for the residents in their water bill on the use of electric cars.

Requests for Council Action:

22-262-12/12 – Amend Ord. 213-22 – Fitness Room
22-263-12/12 – Policing Contract with Lafayette Township
22-264-12/12 – Expenditure – Jet-A Fuel
22-265-12/12 – Increase P.O. 22-1355 – Mason Custom Builders – Service
22-266-12/12 – Increase P.O. 22-525 – Walter & Haverfield – Law
22-267-12/12 – Budget Amendments
22-268-12/12 – Advance Request – W. Smith Phase 4
22-269-12/12 – Expenditure – Software Solutions – Finance
22-270-12/12 – Job Creation Grant Agreement – Agrati, Inc.
22-271-12/12 – 2023 Tax Advances
22-272-12/12 – Dedication Plat for Public Alley

Medina City Council
December 12, 2022

- 22-273-12/12 – Amend Code 943.02 General Regulations – Cemetery
- 22-274-12/12 – Contract w/ EnviroScience – Rocky River Stabilization Project (ARPA)
- 22-275-12/12 – Amend S&B Code 31.05 & 31.07 – Various - Parks and MCRC
- 22-276-12/12 – Amend Civil Service Rules – Re: Lateral Entry of Patrol Officers
- 22-277-12/12 – Expenditure Over \$15,000 – Railroad Liability Insurance
- 22-278-12/12 – Accept Donation of Parcel #028-03-124 from West Creek Conservancy
- 22-279-12/12 – Expenditure Over \$15,000 – Technology Engineering – IT Services

Reports of Municipal Officers:

Dennis Hanwell, Mayor,

- A. Thankful to Council and staff for completion of another successful year of providing quality services to our constituents and businesses. There is something special about Medina!
- B. Wishing staff, Council and community a very Merry Christmas, as well as a safe and blessed holiday season.

Lori Bowers, Deputy Finance Director, had no report.

Greg Huber, Law Department, had no report.

Chief Kinney, Police Department, had no report.

Chief Walters, Fire Department, had no report.

Sergeant Zarembo, IT Department, had no report.

Kimberly Marshall, Economic Development Director, had no report.

Jansen Wehrley, Parks and Recreation Director, stated in the beginning of the year the Rec Center will kick off their 20th year anniversary. Event on January 4th for an open house with continued celebrations throughout 2023 with different themes every month.

Dan Gladish, Building Official, stated 2022 was a busy, great successful year for the Building Department.

Nino Piccoli, Service Director, stated they were able to pave 3 more asphalt streets before the weather turned. Leaf program has been concluded. Staff is ready for their snow and ice operations.

Patrick Patton, City Engineer, there are two upcoming projects, South Prospect St. and West Smith Rd. Phase #4. Each are scheduled to start in early to mid-January. Property owners will receive notice with info on the project. Public meeting will be scheduled here at City Hall for each of those. These were not planned to be done simultaneously, South Prospect St. was actually bid and awarded more than 6 months ago and we had anticipated it to be complete or near completion before West Smith Rd. was started but due to supply chain issues it delayed the contractor.

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

Confirmation of Mayor's Appointments

- Rob Thompson – Archive Commission – Expiring 12/31/25
- Ron Paydo – Business Development Committee – Expiring 12/31/26
- Ron Paydo – Economic Development Committee – Expiring 12/31/26
- Bert Humpal – Community Investment Corp. – Expiring 12/31/24
- Mike Jenks – Income Tax Review Board – Expiring 12/31/25
- Dave Chambers – JEDD Board – Expiring 12/31/26
- Suzanne Swain – Rec Center Advisory Board – Expiring 12/31/25
- Chet Simmons – Shade Tree Commission – Expiring 12/31/26
- Keith Sooy – Rec Center Advisory Committee – Expiring 12/31/25
- Greg Walter – Cemetery Commission – Expiring 12/31/26
- Steve Chrisman – Economic Development Committee 12/31/36
- Robert Molnar – Uptown Park Advisory Committee 12/31/25

Mr. Shields moved to confirm the Mayor's Appointments, seconded by Mr. Simpson. The roll was called and approved by the yea votes of D. Simpson, J. Coyne, R. Haire, B. Lamb, P. Rose, and J. Shields.

Confirmation of Council's Appointments

- Paul Rose – ACCESS Committee – Expiring 12/31/24
- Paul Rose – Firemen's Dependents Board – Expiring 12/31/26
- Dennie Simpson – Firemen's Dependents Board – Expiring 12/31/26
- Jessica Hazeltine – Medina County Planning Commission
- Jim Shields – Medina County Planning Commission (Alternate)

Mr. Shields moved to confirm Council's Appointments, seconded by Mr. Simpson. The roll was called and approved by the yea votes of J. Coyne, R. Haire, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Confirmation President of Council's Appointments

- Jim Shields – CIC Board – Expiring 12/31/24
- Paul Rose – CIC Board – Expiring 12/31/24

Mr. Shields moved to confirm the President of Council's Appointments, seconded by Mr. Simpson. The roll was called and approved by the yea votes of R. Haire, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Notices, communications and petitions:

There were none.

Unfinished Business:

There was none.

Introduction of Visitors:

There were none.

Introduction and Consideration of Ordinances and Resolutions:

Mr. Shields moved to suspend the rules requiring three readings on the following ordinances and resolutions, seconded by Mr. Simpson. Ord. 221-22, Res 222-22, Ord. 223-22, Ord. 224-22, Ord. 225-22, Ord. 226-22, Ord. 227-22, Ord. 228-22, and Ord. 229-22. The roll was called and the motion passed with the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, and R. Haire.

Ord. 221-22:

An Ordinance to make appropriations for current expenses and other expenditures of the City of Medina, Ohio for the fiscal year ending December 31, 2023. Mr. Shields moved for the adoption of Ordinance/Resolution No. 221-22, seconded by Mr. Simpson. Lori Bowers stated this is the budget for 2023 and there needs to be one amendment to the grand total of all funds. The total should be \$56,272,574.00. The amendment comes from the Recreation Center budget that caused the change. The roll was called and Ordinance/Resolution No. 221-22 passed as amended by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, and B. Lamb.

Res. 222-22:

A Resolution adopting a Five-Year Budget for the City of Medina, Ohio for the period beginning January 1, 2023 through December 31, 2027. Mr. Shields moved for the adoption of Ordinance/Resolution No. 222-22, seconded by Mr. Simpson. Lori Bowers stated this is the 5-year budget for the city. The roll was called and Ordinance/Resolution No. 222-22 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, B. Lamb, and P. Rose.

Ord. 223-22:

An Ordinance amending Sections 31.05 and 31.07 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the addition of a new Information Technology Department and accepting the job descriptions of IT Director and IT Technician. Mr. Shields moved for the adoption of Ordinance/Resolution No. 223-22, seconded by Mr. Simpson. Sergeant Zaremba spoke of the creation of the IT Department, funding sources and means of it, job descriptions and the budget. The roll was called and Ordinance/Resolution No. 223-22 passed by the yea votes of D. Simpson, J. Coyne, R. Haire, B. Lamb, P. Rose, and J. Shields.

Ord. 224-22:

An Ordinance authorizing the Mayor to execute a Memorandum of Understanding between the Cleveland Clinic Foundation Police Department and the City of Medina authorizing limited police powers within the City of Medina. Mr. Shields moved for the adoption of Ordinance/Resolution No. 224-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 224-22, seconded by Mr. Simpson. Chief Kinney stated this is required by the Ohio revised code for the Cleveland Clinic Police Officers to be recognized as peace officers. Emergency clause is requested as they have man power issues they want to cover some gaps immediately. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, R. Haire, B. Lamb, P. Rose, J. Shields, and D. Simpson. The roll was called and Ordinance/Resolution No. 224-22 passed by the yea votes of R.

Haire, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 225-22:

An Ordinance replacing Section 31.03 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Salary Schedules for employees not covered under current union contracts for the years 2023, 2024, and 2025. Mr. Shields moved for the adoption of Ordinance/Resolution No. 225-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 225-22, seconded by Mr. Simpson. Mayor stated this provides cost of living adjustments of 3.5% for each of the 3 years 2023, 2024, & 2025. Mayor Hanwell stated they've been told verbally that these numbers are acceptable to them. Emergency is requested because the last two weeks of 2022 are actually paid in 2023 and need this in place. The roll was called on adding the emergency clause and was approved by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and R. Haire. The roll was called and Ordinance/Resolution No. 225-22 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, and B. Lamb.

Ord. 226-22:

An Ordinance amending Ordinance No. 213-22, passed November 28, 2022 relative to the proposal with Fanning and Howey for the design services for the Fitness Room at the Medina Community Recreation Center. Mr. Shields moved for the adoption of Ordinance/Resolution No. 226-22, seconded by Mr. Simpson. Mr. Rose moved that the emergency clause be added to Ordinance/Resolution No. 226-22, seconded by Mr. Simpson. Mr. Wehrley stated that it was discovered that they left the funding off Ordinance 213-22 and so we are requesting the \$48,000 to be included and the emergency clause is requested now because that contract has been signed and want to begin. Mr. Shields will abstain because this involves his employer. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, D. Simpson, J. Coyne, R. Haire, and B. Lamb. The roll was called and Ordinance/Resolution No. 226-22 passed by the yea votes of D. Simpson, J. Coyne, R. Haire, B. Lamb, and P. Rose.

Ord. 227-22:

An Ordinance authorizing the Mayor to enter into an agreement with Lafayette Township Trustees for Community Policing Law Enforcement Services in its jurisdiction. Mr. Shields moved for the adoption of Ordinance/Resolution No. 227-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 227-22, seconded by Mr. Simpson. Chief Kinney stated this is a renewal of their Lafayette Police Contract. Emergency clause is requested because current contract expires 12/31/22. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, J. Coyne, R. Haire, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 227-22 passed by the yea votes of J. Coyne, R. Haire, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 228-22:

An Ordinance amending Ordinance No. 201-21, passed December 13, 2021. (Amendments to 2022 Budget) Mr. Shields moved for the adoption of Ordinance/Resolution No. 228-22, seconded by Mr. Simpson. Lori Bowers stated these are appropriation adjustments to clean up some accounts for year end, there is a donation in there from the Medina Chamber for the visitor

Medina City Council
December 12, 2022

guides and a couple of adjustments. The roll was called and Ordinance/Resolution No. 228-22 passed by the yeas votes of R. Haire, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 229-22:

An Ordinance authorizing the Finance Director to make certain fund advances. Mr. Shields moved for the adoption of Ordinance/Resolution No. 229-22, seconded by Mr. Simpson. Lori Bowers stated this is an advance for the West Smith Rd. project from the 108 account to the 386 account. The roll was called and Ordinance/Resolution No. 229-22 passed by the yeas votes of R. Haire, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Council Comments:

Ms. Haire thanked her constituents for electing her to represent them in Ward 3 and stated she has really enjoyed it.

Mr. Simpson wished everybody Happy Holidays!

Mr. Rose reminded residents when it snows to keep your fire hydrants cleared of snow.
Merry Christmas to all!

Mr. Coyne stated he looks forward to seeing everyone in 2023.

There being no further business, the meeting adjourned at 7:54 p.m.

Kathy Patton, Clerk of Council

John M. Coyne, President of Council

MEDINA CITY COUNCIL

January 4, 2023, Wednesday
Special Session - Organizational Meeting
Council Rotunda

Opening:

After due notice according to law, Medina City Council met in special, open session Wednesday, January 4, 2023. The meeting was called to order at 6:00 p.m. by President of Council John Coyne who also led the pledge of allegiance.

Roll Call:

President Coyne called for the roll call and the following members of Council were present: J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and R. Haire.

Invocation:

The invocation was offered by Reverend Michael Wilson – Fellowship Baptist Church

Confirmation of Mayor's Appointment:

Economic Development Committee – Sam Pietrangelo – Expiring 12/31/24

Mr. Shields moved to confirm the Mayor's appointment, seconded by Mr. Simpson. The roll was called and the appointment was confirmed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire and J. Hazeltine.

Confirmation of Council Appointments:

Strategic Plan Advisory Committee:

Stephanie Reed – Ward 1 Representative – Expiring 12/31/26
Bobbie Foy – Ward 2 Representative – Expiring 12/31/26
Nicole Glatz – Ward 3 Representative – Expiring 12/31/26
Jim Gerspacher – At-Large Representative – Expiring 12/31/26

Mr. Shields moved to confirm the Council appointments, seconded by Mr. Simpson. The roll was called and the appointments were approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb.

Confirmation of President of Council Appointments:

Community Investment Corporation (CIC):

Roman Paich – Expiring 12/31/24

Mr. Shields moved to confirm the President of Council appointments, seconded by Mr. Simpson. The roll was called and the appointments were approved by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose.

Council Committee Appointments by President: See attached, Exhibit A

Mr. Shields moved to confirm the Council Committee appointments by the President, seconded by Mr. Simpson. The roll was called and the appointments were approved by the yea votes of

D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields.

Strategic Plan Advisory Committee: (by President)

John Coyne – Expiring 12/31/26

Jim Shields – Expiring 12/31/26

Mr. Shields moved to confirm the Council Committee appointments by the President, seconded by Mr. Simpson. The roll was called and the appointments were approved by the yea votes of J. Coyne, R. Haire, B. Lamb, P. Rose, J. Shields, and D. Simpson. J. Hazeltine cast a nay votes.

Consideration of Council Rules:

Mr. Shields moved for the re-adoption of Section 111, the Rules of Council as presented, seconded by Mr. Simpson. There was a discussion, initiated by Mr. Lamb, on the use of the emergency clause in legislation. The roll was called and the Council Rules were re-adopted as presented by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Adjournment:

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

Kathy Patton, Clerk of Council

John M. Coyne, President of Council

Exhibit A
January 4, 2023

2023 MEDINA CITY COUNCIL COMMITTEES by President of Council

FINANCE

John Coyne, Chairman (23)
Bill Lamb (23)
Jessica Hazeltine (25)
Jim Shields (23)
Paul Rose (25)
Dennie Simpson (23)
Regi Haire (25)

HEALTH, SAFETY & SANITATION

Dennie Simpson, Chairman
Bill Lamb
Regi Haire

PUBLIC PROPERTIES

Jim Shields, Chairman
Bill Lamb
Dennie Simpson

EMERGING TECHNOLOGIES

Paul Rose, Chairman
Dennie Simpson
Jim Shields

SPECIAL LEGISLATION

Bill Lamb, Chairman
Jess Hazeltine
Paul Rose

STREETS & SIDEWALKS

Regi Haire, Chairman
Paul Rose
Jessica Hazeltine

WATER & UTILITIES

Jessica Hazeltine, Chairperson
Regi Haire
Dennie Simpson

ORDINANCE NO. 1-23

AN ORDINANCE AUTHORIZING THE EXPENDITURE TO EPIC AVIATION FOR THE PURCHASE OF JET-A FUEL AT THE MEDINA MUNICIPAL AIRPORT, AND DECLARING AN EMERGENCY.

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

SEC. 1: That the expenditure to Epic Aviation LLC is hereby authorized for the Finance Department.

SEC. 2: That the funds to cover this expenditure, in the estimated amount of \$135,000.00, are available in Account No. 547-0650-53314.

SEC. 3: That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director’s certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.

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

SEC. 5: That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to pay for fuel purchased in January, 2023; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

ORDINANCE NO. 2-23

AN ORDINANCE AUTHORIZING THE INCREASE OF THE EXPENDITURE TO MASON CUSTOM BUILDERS FOR THE SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS: The Service Director has requested to increase Purchase Order #2022-1355 from \$24,000.00 to \$27,827.00, 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 #2022-1355 from \$24,000 to \$27,827.00 is hereby authorized for the Service Department.

SEC. 2: That the funds to cover this expenditure are available in Account No. 171-0743-53322, utilizing ARPA funds.

SEC. 3: That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director’s certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.

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

SEC. 5: That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason the work is completed; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

ORDINANCE NO. 3-23

AN ORDINANCE AUTHORIZING THE PAYMENT TO SOFTWARE SOLUTIONS INC. (SSI) FOR ANNUAL SUPPORT SERVICES FOR THE CITY'S VIP PROFESSIONAL ACCOUNTING SYSTEM.

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

SEC. 1: That the payment of \$52,291.24 is hereby authorized to Software Solutions Inc. (SSI) for software maintenance of the Finance and Service Departments' VIP Professional Accounting System for the period of March 1, 2023 through February 28, 2024.

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

SEC. 3: That the funds to cover this payment are available as follows:

<u>Account No.</u>	<u>Department</u>	<u>Amount</u>
001-0707-53321	General Administration	\$27,191.44
106-0101-53321	Police	2,091.65
513-0531-53321	Water Office	7,843.69
513-0708-53321	Utility Billing	11,504.07
514-0541-53321	Sanitation	3,660.39

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

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

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

RESOLUTION NO. 4-23

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO MAKE TAX ADVANCES DURING THE YEAR 2023 PURSUANT TO OHIO REVISED CODE SECTION 321.34, AND DECLARING AN EMERGENCY.

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

SEC. 1: That the County Auditor is hereby requested to draw and the County Treasurer to pay on such draft, to the Director of Finance of the City of Medina, Ohio such money as may be in the county treasury from time to time during the year 2023, to the account of the City of Medina, Ohio and lawfully applicable to the purpose of the current fiscal year in which such request is made. Such payments are to be made from time to time as the Director of Finance may request.

SEC. 2: That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to the Medina County Auditor.

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

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

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

REQUEST FOR ADVANCE OF TAXES COLLECTED
MUNICIPALITIES, SCHOOL DISTRICTS, TOWNSHIPS

Rev. Code Sec. 321.34

To the Auditor of Medina County, Ohio:

Medina, Ohio, January 9, 2023.

YOU ARE HEREBY REQUESTED to issue your warrant upon the County Treasurer of said County in favor of Keith Dirham as Finance Director of The City of Medina in said County for all available Dollars, of the current collection of taxes assessed and collected for and in behalf of said City which shall be held and treated as an advance payment on the current collection of taxes due said City at the ensuing settlement, 2023, as provided by law.

Pursuant to a Resolution adopted by the Medina City Council, adopted January 9, 2023, Resolution No. 4-23.

(President of Board - City - Village Treasurer)

Fiscal Officer/Treasurer

- 1. Fiscal Officer or Treasurer
- 2. School District. Township, or the (City - Village) of
- 3. District, Township or Municipality.
- 4. Board of Education of said School District. Board of Trustees of said Township. or Council of said Municipality.

ORDINANCE NO. 5-23

AN ORDINANCE AUTHORIZING THE JOB CREATION GRANT AGREEMENT FOR AGRATI, INC.

WHEREAS: Ordinance No. 154-07, passed September 24, 2007, adopted a Job Creation Grant Program for the City of Medina, Ohio to provide incentives to businesses to retain, create and expand employment opportunities within the City of Medina without utilizing tax revenues or impacting negatively upon the local school system; and

WHEREAS: Ordinance No. 194-14, passed November 24, 2014, adopted new guidelines effective December 24, 2014; and

WHEREAS: As part of said Job Creation Grant Program, a Business Development Committee was established to review applications and annually review each approved grant for adherence to their grant agreement; and

WHEREAS: The Business Development Committee recommended the attached grant agreement for Agrati, Inc.

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

SEC. 1: That the Job Creation Grant Agreement #JCG24 for Agrati, Inc. is hereby authorized.

SEC. 2: That the Mayor is hereby authorized to execute all documentation associated with the Grant.

SEC. 3: That a copy of the Job Creation Grant Agreement is marked Exhibit A, attached hereto and incorporated herein.

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

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

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor

ORB. 5-23 Exh. A

PLEASE REVIEW THE EMPLOYMENT AND PAYROLL NUMBERS FOR CONSISTENCY WITH YOUR APPLICATION FORM. THESE NUMBERS WILL BECOME YOUR COMPANY'S COMMITMENT TO THE CITY OF MEDINA.

EXHIBIT A

GRANT# JCG24-Agrati, Inc.
(Administrative Only)

JOB CREATION GRANT AGREEMENT

This Agreement made and entered into by and between the CITY OF MEDINA, OHIO, a municipal corporation, with its main offices located at 132 North Elmwood Avenue, Medina, Ohio 44256 (hereinafter referred to as "Medina") and Agrati, Inc. with its main offices located at 24000 South Western Avenue, Park Forest, IL 60466 (hereinafter referred to as "Company), and is dated as of _____.

WITNESSETH:

WHEREAS, Medina has encouraged the creation and retention of new job opportunities throughout the City of Medina; and

WHEREAS, Agrati, Inc. is desirous to expand their business in the City of Medina located at 941-955 Lake Road, Medina, Ohio to create 40 new full-time employment opportunities (hereinafter sometimes referred to as the "PROJECT") within the boundaries of the City of Medina, provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and

WHEREAS, the Council of the City of Medina, Ohio by Ordinance No. 154-07 adopted September 25, 2007 created the Job Creation Grant Program pursuant to Article XVIII, Section 3 and Article VIII, Section 13 of the Ohio Constitution; and

WHEREAS, the City of Medina, having the appropriate authority for the stated type of program, is desirous of providing Agrati, Inc. with incentives available for the development of the PROJECT; and

WHEREAS, Agrati, Inc. has submitted a proposed Agreement application (herein attached as Exhibit A1) to the City of Medina (said application hereinafter referred to as "Application"); and

WHEREAS, Agrati, Inc. has remitted the required application fee of \$ 500.00 made payable to the City of Medina; and

WHEREAS, the Business Development Committee of the City of Medina has investigated the application of Agrati, Inc. and has recommended the same to Medina City Council on the basis that Agrati, Inc. is qualified by financial responsibility and business experience to create employment opportunities in the City of Medina and improve the economic climate of Medina; and

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. Description of the Project.

- A. Agrati, Inc. shall expand the facility located at 941-955 Lake Road, Medina, Ohio

2. Project Investment.

- A. The PROJECT will involve a total investment, plus or minus 10%, by the Property Owner of **\$12,875,000** (dollars) the PROJECT.
- B. The PROJECT will involve a total investment, plus or minus 10%, by Agrati, Inc. as follows:

1. Additions/New Construction	\$	<u>3,200,000.00</u>
2. Improvements to Existing Building	\$	<u>150,000.00</u>
3. Machinery & Equipment	\$	<u>9,000,000.00</u>
4. Furniture & Equipment	\$	<u>525,000.00</u>
TOTAL	\$	<u>12,875,000.00</u>

- C. Improvements to facility will begin approximately June, 2023 and will be completed approximately December, 2024.

3. Job Creation and Retention.

- A. Agrati, Inc. shall create in the City of Medina within a time period not exceeding **36** months after the occupation of the aforesaid facility, the equivalent of **40** new full-time permanent job opportunities in the City of Medina.

1) Agrati, Inc. schedule for hiring permanent full-time employees is as follows:

<u>Year</u>	<u>Number of Jobs New to Medina</u>
1	12
2	14
3	14

- B. The job creation period begins approximately June, 2023 and all jobs will be in place by December 2025.

C. The Company currently has 156 employees in the City of Medina. In total, the Company has 207 full-time permanent employees in the State of Ohio.

D. The increase in the number of employees new to the City of Medina will result in approximately \$3,000,100.00 of additional annual payroll in the City of Medina when the projected maximum employment level is achieved.

4. Issuance of Grant.

A. The City of Medina hereby grants a Job Creation Grant based upon the creation of new payroll and jobs in the City of Medina, and the implementation of the PROJECT, according to the schedules contained herein in Section 4(C).

<u>Years</u>	<u>Amount of Grant as a Percentage Payroll Taxes New to Medina</u>
6	40%

Funding for the grant issued herein shall only be from the following non-tax revenue sources: interest income, permit fees, activity fees, service charges, and tax incentive application and monitoring fees.

B. For purposes of calculating the amount of the grant, the new payroll upon which the grant is based may not exceed 25% above the maximum payroll projected in Section 3(D) above. The grant amount shall be based on the current 1.25% income tax rate. The maximum grant amount in any year shall be **\$18,750.63 (maximum NEW PAYROLL projection x 125% X 1.25% x 40% of grant)**

C. To receive a grant in any given year, Agrati, Inc. must retain full time permanent jobs existing in Medina prior to the Agreement.

(1) If Agrati, Inc. does not achieve at least 90% of new payroll and employment projections, Agrati, Inc. shall receive reduced incentives according to the schedule below:

<u>% of New Payroll Projection Achieved</u>	<u>Amount of Grant as a Percentage of Payroll Taxes New to Medina</u>
90-100%	full grant
85-89%	reduce grant by 5% (Ex.: 40% grant reduced to 35%)
80-84%	reduce grant by 10% (Ex.: 40% grant reduced to 30%)
75-79%	reduce grant by 15%
Less than 75%	no grant for that year; and

- (2) If Agrati, Inc. fails to meet 75% of new payroll **and** new employment projections in any given year, the grant shall not be awarded for that year.
- (3) New payroll is defined as that amount in excess of the amount in Section 3(E) above.

5. Grant Payments.

A. Initial Grant Payment.

- (1) Year 3 projections must be met by December 31, 2025. The initial grant payment shall be made by approximately July 1, 2026 (following year), or Tax Incentive payments will commence upon the fulfillment of job creation and payroll obligations provided that Agrati, Inc. files its Reconciliation of City Income Tax Withheld Form S-W3 by February 28, 2026, at the latest or February 28, 2024 at the earliest. Reconciliation is confirmed by the City of Medina Finance Department.
- (2) If the project start date or occupancy of the project facility is delayed, Year 1 may be extended to the following year and the Year 1 projections deadline adjusted accordingly, upon written request by Agrati, Inc. to the Economic Development Director, provided that the extension is approved by the Economic Development Director with notice to the Business Development Committee.
- (3) If the project or occupancy of a project facility begins in the third or fourth quarter of the year and Agrati, Inc. is not able to meet its Year 1 projections by December 31st of that year, Year 1 will be considered the first full year of occupancy, and the first grant payment will occur in the year following the first full year of the project or occupancy of the project facility.

B. Timing of Annual Grant Payments. Annual grant payments shall be made by June 30th of the following year, provided that Agrati, Inc. files its Reconciliation of City Income Tax Withheld Form S-W3 by February 28th and reconciliation is confirmed by the City of Medina Finance Department. If Agrati, Inc. requests an extension for filing of its S-W3 form, the City of Medina shall make the grant payment within three months of the extended filing date. It is the responsibility of Agrati, Inc. to advise the Economic Development Director of the filing extension.

C. Use of Grant Payments. Grants shall be allocated by Agrati, Inc. for land acquisition, building acquisition, purchase of machinery/equipment, purchase of furniture/fixtures, and/or other non-construction related and non-installation related costs of the project.

6. Payment of Taxes and Filing Reports and Returns. **Agrati, Inc.** shall pay all taxes and shall file all tax reports and returns as required by law. If **Agrati, Inc.** fails to pay such taxes or file such returns and reports, all incentives granted under this Agreement are terminated beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter.
7. Information for Annual Review. **Agrati, Inc.** shall timely provide to the City of Medina any information reasonably required by the City of Medina to evaluate **Agrati, Inc.** compliance with the Agreement.
8. Maintenance of Grant.
 - A. Medina shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain incentives granted under this Agreement including, without limitation, joining in the execution of all documentation and providing necessary information to maintain the incentives granted hereunder.
 - B. If for any reason the Job Creation Grant Program is discontinued, entitlements granted under this Agreement shall continue for the number of years specified under this Agreement, unless **Agrati, Inc.** materially fails to fulfill its obligations under this Agreement and Medina terminates or modifies the incentives granted under this Agreement.
9. Certification as to Payment of Taxes. **Agrati, Inc.** certifies that at the time this Agreement is executed, **Agrati, Inc.** does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which **Agrati, Inc.** is liable under Chapter 5733, 5735, 5739, 5741, 5743, 5747, or 5753 of the Ohio Revised Code, or, if such delinquent taxes are owed, **Agrati, Inc.** currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against **Agrati, Inc.** For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes.
10. Non-Discrimination Hiring. Medina has developed a policy to ensure recipients of Job Creation Grants practice non-discriminatory hiring in its operations. By executing this Agreement, **Agrati, Inc.** is committing to following non-discriminatory hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry.
11. Transfer and Assignment. This Agreement is not transferable or assignable without the express, written approval of City of Medina. The City of Medina acknowledges that it would be unreasonable to withhold such consent in the event of a proposed transfer or assignment to any parent, subsidiary or affiliate of **Agrati, Inc.** or to any

third party so long as with respect to all or any of such proposed transfers or assignments, the proposed transferee or assignee adequately and sufficiently demonstrates to the City of Medina, to the City of Medina's reasonable satisfaction, its financial ability, business experience and intentions to continue its operations of the Facility and Project in a manner similar to that of Agrati, Inc. in all pertinent respects.

12. Termination or Modification of Incentives.

- A. If Agrati, Inc. fails to meet 75% of new payroll or new employment projections in any given year, the grant shall not be awarded for that year.
- B. If Agrati, Inc. fails to meet 75% of new payroll or new employment projections for three consecutive years, this Agreement shall be terminated by the City of Medina.
- C. If the project does not proceed as specified in Section 5(A)(1) of the Agreement or within the approved one-year extension period, the City of Medina may terminate the Agreement upon recommendation of the Business Development Committee.
- D. If Agrati, Inc. fails to submit required information and/or reports as set forth in Section 7 above, the City of Medina may terminate or modify this Agreement and deny or modify future grants heretofore granted from the date of Agrati, Inc.'s breach or default.

In the case as provided in this Subsection D, the City of Medina's termination or modification of this Agreement may be instituted only if Agrati, Inc. fails to cure any breach of any term of this Agreement as determined by the City of Medina within ten (10) days of receiving written notice of such failure from the City of Medina or, if cure of the breach cannot be completed within ten (10) days, if Agrati, Inc. has not made a good faith start of the cure, and/or not diligently pursued same.

- E. Nothing contained in Sections 12(A), 12(B), 12(C), or 12(D) shall permit the City of Medina to recapture or otherwise deny Agrati, Inc. the benefit of a grant in respect of any period prior to the date of such termination or modification by the City of Medina.
- F. The City of Medina may terminate or modify this Agreement and may also require the repayment of the full amount of grant payments awarded under this Agreement, upon the occurrence of any of the following:
 - 1) the City of Medina determines that the certification as to delinquent taxes required by this Agreement is fraudulent, or

- 2) In the event that Agrati, Inc. vacates the Facility and/or moves the Project out of the City of Medina or terminates its operations at the Facility altogether during a 10 (numeral) year period beginning on the effective date of this Agreement.

The City of Medina may, absent any legislative action, resolution or court ordered mandate to the contrary, collect any and all grant payments awarded under this Agreement, and Agrati, Inc. shall pay directly to the City of Medina or its authorized agent any and all grant payments awarded under this Agreement due on the date Agrati, Inc. moves the Project out of the City of Medina or terminates its operations at the Facility altogether during the 10 year period beginning on the effective date of this Agreement; or within ten (10) days from the date Agrati, Inc. is notified by the City of Medina that any tax certification is fraudulent.

- G. Agrati, Inc. or successor entity shall promptly notify the City of Medina if any of the following events occur:
- (i) If control of Agrati, Inc. or substantially all of its assets located at the Project site is obtained by another entity or shareholders or
 - (ii) If Agrati, Inc. merges with another entity or
 - (iii) If Agrati, Inc. substantially restructures itself through an acquisition or divestiture or otherwise

and if any of these events affects the ability of Agrati, Inc. or its successor entity to perform substantially the obligations of Agrati, Inc. under this Agreement and to meet the employment and payroll projections anticipated herein. "Control of Agrati, Inc." for the purposes of this subsection means that persons and/or entities owning the majority of Company's outstanding voting stock at the date of this Agreement cease to own such or cease to have the unconditional right to elect a majority of Agrati, Inc.'s board of directors.

- H. Each provision for modification or termination hereunder shall not affect Agrati, Inc.'s obligations or the City of Medina's rights under any other provision of this Agreement.
13. Fees. Agrati, Inc. shall pay an annual fee of \$ 500 (five hundred dollars) in each year that Agrati, Inc. has a grant agreement in effect upon notification that such payment is due. The proceeds will be used to defray costs of program administration and to help fund the program.
14. Any notices, statements, acknowledgements, consent approvals, certificates, or requests required to be given on behalf of either party shall be made in writing addressed as follows:

If to the City to: Dennis Hanwell, Mayor
Medina City Hall
132 N. Elmwood Avenue
Medina, Ohio 44256

With a copy to: Director of Law— City of Medina
Gregory Huber
Medina City Hall
132 N. Elmwood Avenue
Medina, Ohio 44256

If to _____ to:

Agrati, Inc.

Chief Operating Officer
2400 South Western Avenue
Park Forest, IL 60466

or such other address as may be noticed.

15. Condition Precedent. **Agrati, Inc.** and Medina acknowledge that this Agreement must be approved by formal action of the legislative authority of the City of Medina as a condition for the Agreement to take effect.

IN WITNESS WHEREOF, the City of Medina, Ohio, by Dennis Hanwell, its Mayor, and pursuant to Ordinance No. 154-07 and **Agrati, Inc.**, by _____
_____ have caused this instrument to be executed on the _____ day of _____, 2023.

WITNESSED BY:

WITNESSED BY:

CITY OF MEDINA

By: _____

Title: Mayor

By: _____

Title: Chief Operating Officer

The legal form and correctness of the
within instrument is hereby approved.

DIRECTOR OF LAW-- CITY OF MEDINA

By: _____

Date: _____

ORDINANCE NO. 6-23

AN ORDINANCE ACCEPTING A DEDICATION PLAT FOR A PUBLIC ALLEY.

WHEREAS: This request is for Council's acceptance and approval of the dedication plat for a public alley that will run north from West Liberty Street/SR 18 a distance of 160.01 feet to the southeast entrance of the City Hall Parking Deck; and

WHEREAS: The Planning Commission recommended and approved this at their regular Meeting on October 13, 2022.

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

SEC. 1: That the Plat of Survey Dedicating Public Alley, being a part of Medina City Lot 9374, as shown by Plat recorded in Document Number 2021PL000016 of Medina County Recorder's Records, is hereby approved and accepted.

SEC. 2: That a copy of the Plat of Survey Dedicating Public Alley is marked Exhibit A, attached hereto and incorporated herein

SEC. 3: That the City Engineer is hereby authorized and directed to cause the record plat to be properly recorded in the Medina County Record of Plats.

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: _____

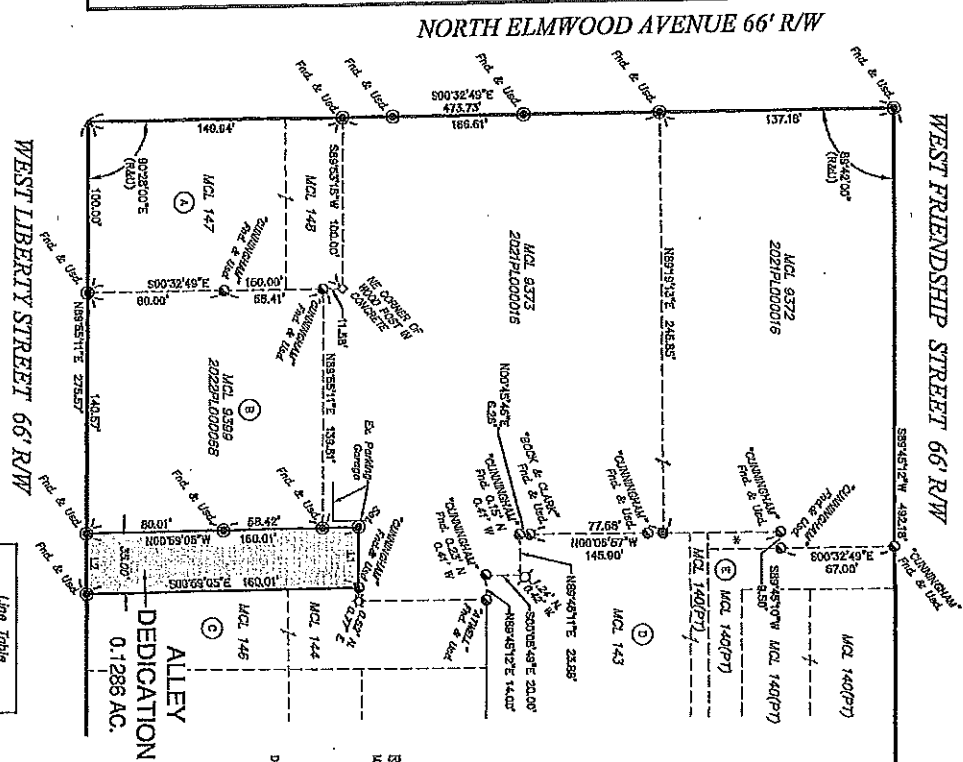
Clerk of Council

SIGNED: _____

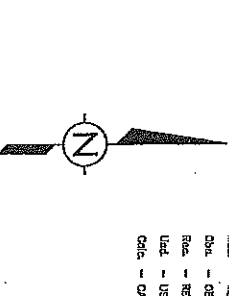
Mayor

PLAT OF SURVEY DEDICATING PUBLIC ALLEY

BEING A PART OF MEDINA CITY LOT 9374 AS SHOWN BY PLAT RECORDED IN DOCUMENT NUMBER 2021PL000016 OF MEDINA COUNTY RECORDER'S RECORDS SITUATED IN THE CITY OF MEDINA, COUNTY OF MEDINA AND STATE OF OHIO



Line #	Direction	Length
17	S89°51'17\"	35.00
18	S89°51'17\"	35.00



- REFERENCES.**
- MC# 147(P7) & 148 DE W/CDP STATES OF AMERICA 04/27/1937
 - MC# 140(P7) MEDINA CITY DEVELOPMENT CORPORATION DDC NO. 2020R023582 11/10/2022
 - MC# 144(P7) & 146 MEDINA AUTO PARTS, INC. MC# 937, PG. 621 07/09/1996
 - MC# 140(P7) & 145 MEDINA MEDICAL AGENCY, LLC DDC NO. 2017C010576 05/28/2017
 - MC# 140(P7) TRU FINES, LLC DDC NO. 2017C002289 01/31/2017

LEGEND:

- 5/8" IRON PIN SET W/CDP QUINQUAGIAN
- 5/8" IRON PIN RND. W/CDP
- ⊗ RAILROAD SPICER FOUND
- ⊙ RAIL HOLE WITH IRON NAIL AS NOTED
- ◇ RND. HOLE IN CONCRETE
- FOUND
- OBSERVED
- RECORDED
- USED
- CALCULATED

APPROVALS:

THIS PLAT WAS DULY ASSESSED BY ORGANIZING NO. OF MEDINA CITY COUNCIL AT A REGULAR MEETING HELD ON THE _____ DAY OF _____ 20____.

PRESIDENT OF COUNCIL _____ CLERK OF COUNCIL _____

THIS PLAT APPROVED THIS _____ DAY OF _____ 20____ BY THE MEDINA CITY ENGINEER _____

TOWNSHIP COMMISSION _____

ACCEPTANCE:

KNOW ALL MEN BY THESE PRESENTS THAT THE CITY OF MEDINA, BY DENNIS HANVELL, MAYOR, OWNER OF THE LANDS SHOWN WITHIN THIS SUBDIVISION HEREBY ACKNOWLEDGE THIS PLAT AND SUBDIVISION TO BE A FREE ACT AND DEED AND DO HEREBY HERETO BY PUBLIC USE FOREVER THE STREETS AS SHOWN AND DO NOT RESERVE ANY SPECIAL ACCORDING TO THE LEGEND BELOW. I CERTIFY THAT THESE ARE THE ONLY NOTES OR ASSESSMENTS AGAINST THE LANDS WITHIN THIS SUBDIVISION.

DENNIS HANVELL, MAYOR _____ DATE _____

COUNTY OF MEDINA }
STATE OF OHIO } S.S.

BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE OF OHIO, I HAVE PERSONALLY APPEARED THE ABOVE NAMED _____ WHO HAS BEEN DULY SWORN AND WHOSE POSSESSORY INSTRUMENT AND THE SIGNING OF THIS PLAT TO BE HIS OWN AND WHOSE AFFIDAVIT AND TESTIMONY WHEREBY I HAVE HEREBY SET MY HAND AND OFFICIAL SEAL AT _____ OHIO THIS _____ DAY OF _____ 20____.

NOTARY PUBLIC _____
MY COMMISSION EXPIRES _____

CERTIFICATION:

I HEREBY CERTIFY THIS DRAWING TO BE OF A SURVEY MADE BY ME AND/OR MY ASSISTANT OR OTHER PERSONS UNDER MY SUPERVISION AND TO BE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

DRAWN BY: _____ DATE: _____

CHECKED BY: _____ DATE: _____

DESIGNED BY: _____ DATE: _____

PROJECT NO. _____



Douglas S. Savel, Ohio Professional Surveyor S-8007

22 November 2022

ADDITIONAL:
SCALE: 1"=40'
DATE: 11/13/2022
PROJECT NO. 17-113

CITY: MEDINA
TOWNSHIP: _____
TRACT: _____
LOT NUMBER: 9373
PROP OWNER: CITY OF MEDINA

PLAT DEDICATING PUBLIC ALLEY
LOCATED IN _____ STATE OF OHIO
CUNNINGHAM & ASSOCIATES, INC.
CIVIL ENGINEERING AND SURVEYING
203 W. LIBERTY ST. MEDINA, OHIO 44226 330-725-5980

ORDINANCE NO. 7-23

**AN ORDINANCE AMENDING SECTION 943.02 OF THE
CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO
RELATIVE TO THE GENERAL REGULATIONS FOR THE
SPRING GROVE CEMETERY.**

WHEREAS: That Section 943.02 of the codified ordinances of the City of Medina, Ohio presently reads in part as follows pertaining to General Regulations:

943.02 GENERAL REGULATIONS.

(e) No person shall discharge firearms within the cemetery except for military funerals or Memorial Day exercises.

(f) The cemetery grounds are closed from dusk to dawn to everyone except cemetery employees or authorized persons.

(g) Motor vehicles or other vehicles may be operated in the cemetery at a speed not greater than 10 miles per hour and such vehicles shall at all times be operated with due care.
(Ord. 25-05. Passed 2-14-05.)

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

SEC. 1: That Section 943.02 of the codified ordinances of the City of Medina, Ohio shall be amended to read in part as follows pertaining to General Regulations:

943.02 GENERAL REGULATIONS.

(e) No person shall discharge firearms within the cemetery except for military funerals or Memorial Day exercises.

(f) The cemetery grounds are closed from dusk to dawn to everyone except cemetery employees or authorized persons.

(g) Motor vehicles or other vehicles may be operated in the cemetery at a speed not greater than 10 miles per hour and such vehicles shall at all times be operated with due care.
(Ord. 25-05. Passed 2-14-05.)

(h) No person shall swim, ice skate, or fish in ponds or pools of water on cemetery grounds.

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

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

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 8-23

AN ORDINANCE AMENDING SECTIONS V, VI AND VII OF THE CIVIL SERVICE RULES AND REGULATIONS OF THE CITY OF MEDINA RELATIVE TO LATERAL ENTRY OF PATROL OFFICERS, AND DECLARING AN EMERGENCY.

WHEREAS: Ordinance No. 99-08, passed May 27, 2008, adopted revised Civil Service Rules and Regulations; and

WHEREAS: The Civil Service Commission respectfully requests City Council to consider and accept several revisions to the Medina Civil Service Rules Sections V, VI and VII pertaining to Lateral Entry of Patrol Officers; and

WHEREAS: The Civil Service Commission reviewed these changes and voted to approve at their regular meeting on December 7, 2022.

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

SEC. 1: That Sections V, VI and VII of the Civil Service Rules and Regulations are hereby amended as set forth in the attachment marked Exhibit A, attached hereto, and incorporated herein. (Proposed new rules are in **boldface** and *italics*)

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

SEC. 3: That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to fill open positions as quickly as possible; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

(NOTE: Proposed new rules are in **boldface** and *italics*)

RULE V
APPLICATION FOR EXAMINATION

(A) Notice of Examination

1. Entrance Examination

The Commission shall give reasonable notice of time, place, and general scope of every competitive examination to a position in the civil service. Notice may be given through the local newspapers, bulletin boards, local cable, the City's Internet website, and/or any other means necessary to obtain qualified applicants in a timely manner.

2. Promotional Examination

Notice of competitive promotional examinations to be held shall be given by posting of the announcement of examination in conspicuous places in the departments whose employees may be interested, and may be by individual communications to the employees eligible for such promotion.

3. *Lateral Transfer Patrol Officer Examination*

Notice of competitive Patrol Officer lateral transfer appointment examinations to be held shall be given by posting of the announcement of examination in conspicuous places in the City Police Department and shall be given through the local newspapers, bulletin boards, local cable television channel, the City's Internet website, and/or any other means necessary to obtain qualified applicants in a timely manner.

(B) Minimum Qualifications

The Commission shall establish and publish minimum entrance qualifications for each examination, which shall be included in the official announcement of each examination. Minimum entrance qualifications may include, among other things, the following:

1. Applicant's Age

Before publication of announcements of each examination, the Commission shall determine age requirements for entrance to such examination. After the publication of the examination announcement, no change in age requirements shall be made except by the Commission, which shall then publish a new announcement of examination. No modification of the age requirements as set

forth in the published notice shall be made in the cases of individual applicants. Age restrictions for appointment shall also be stated in the announcement of examination. Two such restrictions are listed below:

- a. Only persons who have reached the age of twenty-one (21) years shall be eligible to receive an original appointment as Police Patrol Officer.
- b. Only persons who have reached the age of eighteen (18) years shall be eligible to receive an original appointment as a Firefighter in the Fire Department.
- c. ***Only persons who have reached the age of twenty-one (21) years and less than forty-one (41) years of age shall be eligible to receive an appointment as a lateral transfer Police Patrol Officer.***

2. Experience and Education

The Commission may establish experience and educational requirements where they are necessary to performance of a specific job or professional position.

Lateral transfer Patrol Officers must be currently employed with a minimum of one (1) year of full-time peace officer experience, or previously employed within the last twelve (12) months as a full-time peace officer, with an Ohio State Certified Law Enforcement Agency in a jurisdiction in the State of Ohio, including having completed the probationary period at that employment. For purposes of this rule, "peace officer" shall be as defined in Ohio Revised Code 109.71 (A).

3. License or Certification

Wherever a license or certification is required by law to perform the duties of a classification, the applicant shall present such license or certificate or a certified copy at the time of filing application for entrance to an examination for such classification.

Lateral transfer Patrol Officers must be certified by the Ohio Peace Officer Training Academy ("OPOTA") or present to the Commission an OPOTA letter of training equivalency.

(C) Applications

Applications for admission to any examination shall be made upon application forms approved by the Commission. All applications shall be legibly printed or written, and applicants shall state under oath or affirmation all pertinent facts on the following subjects:

1. Name, address, and, if requested, date of birth
2. Service in the uniformed services, as defined in Rule VI(K)
3. Skills
4. Previous employment
5. Education, if requested
6. Other information affecting the qualification of the applicant for admission to the examination as required by the Commission

(D) Filing of Application

Unless otherwise permitted, all applications must be filled out at the Civil Service office in Medina, Ohio. Applications will be accepted only if received before the time fixed in the announcement of examination as the last date and time for filing; however, the time for filing may be extended if the Commission determines that there is just and sufficient cause.

(E) Rejection of Applicants

All applications shall be reviewed by an authorized representative of the Commission. Applications may be rejected for any of the following reasons:

1. That the applicant has not met the qualifications specified on the announcement by the date of the examination.
2. That the applicant has intentionally made any false statement on the application.
3. That the applicant is not within the prescribed age limits.
4. That the applicant does not meet the physical requirements of the position.
5. That the applicant has been convicted of a crime or has been guilty of disgraceful conduct or has been dismissed from employment for flagrant delinquency or misconduct.
6. That the applicant was previously in the classified service or the unclassified service and was removed for cause or did not resign in good standing.
7. That the applicant is applying for a classified position in the Division of Police and is not a United States citizen or has not legally declared the intention of becoming a United States citizen. The applicant must, however, be a United States citizen in the event the applicant is appointed to a classified position in the Division of Police.

In addition, applications may be rejected for any just or reasonable cause that is job-related, and not discriminatory, as determined by the Commission.

Upon rejecting any application, the Commission shall promptly notify the applicant of the reason for the rejection by certified mail (return receipt requested) or personal delivery or Fed-Ex (with signature requested) or substantially, similar, commercial mailing system. The applicant may, within seven (7) calendar days after issuance of the notice, file a written complaint against such rejection. The Commission will not hear complaints that contest the qualifications established by the Commission. If a complaint from a rejection is pending at the time an examination is scheduled to be held, the applicant shall be allowed to take the examination pending decision in such inquiry. If the Commission finds the rejection justified, the examination paper shall not be graded.

(F) Accommodation

The examination announcement will advise potential applicants as to the procedures by which a potential applicant may request reasonable accommodation in order to participate in the application process and/or examination process.

RULE VI
EXAMINATIONS

Examinations may be held where the Commission deems advisable and shall be administered under the direction of the Commission or its contracted provider.

(A) Character of Examinations

Examinations shall be practical and impartial and shall relate to those matters that will fairly test the relative capacity of the persons examined to perform the duties of the position.

(B) Types and Methods of Examination

The Commission shall determine and state in the announcement of each examination whether it will be competitive or noncompetitive, entrance or promotional, assembled or unassembled, or any combination.

(C) Parts of Examination

The Commission shall determine for each examination the parts or subjects into which it shall be divided and the weight to be assigned to each part. The parts that shall be recognized may include: written tests, oral tests, performance tests, evaluation of education and experience, evaluation of attendance, performance and conduct, physical examinations, medical examinations, and other such tests as the Commission deems appropriate.

1. Written tests may be either objective or essay type, as appropriate to demonstrate the knowledge, skills, or abilities required in the position and to indicate the applicant's general qualifications.
2. Oral tests shall consist of an interview between the applicant and the designated examiner(s) to measure the applicant's suitability for the position as to such job-related factors as may be examined in that manner.
3. Performance tests and assessment center tests shall include such tests of ability and skill as will determine the applicant's competence to perform the duties of the position.
4. The Commission shall evaluate the applicant's education and experience from the statements contained in the application and from such other sources as may be required.
5. Physical ability tests, drug tests, medical examinations, and psychological evaluations, as appropriate, may be given before admission to the examination, before being placed on the appropriate eligible list, before certification for

appointment, after certification and interview but before appointment, or after conditional appointment subject to successful completion of such test(s). Failure to satisfactorily meet appropriate standards in any such examination shall cause the rejection of an applicant without regard to the grade(s) attained on other parts of the examination. Any such test required shall be done at no expense to the applicant.

A person shall be eligible to receive an original appointment as a Police Patrol Officer or Firefighter *or shall be eligible to receive a lateral transfer appointment as a Police Patrol Officer* only if the person has passed a medical examination, given by a licensed physician not more than one hundred twenty (120) calendar days before the date of appointment, which shows that the applicant meets the requirements necessary to perform the duties of the position; however, inquiry regarding the results of any such examination shall be conducted at the time and manner permitted by law.

Physical examinations may include tests of bodily condition, muscular strength, ability, and physical fitness to perform the work of the position.

Applicants for lateral transfer appointment will be required to pass the Medina Police Department physical agility test which will be proctored by a team of Medina Police Officers.

(D) Scheduling Examinations

The Commission shall determine the time and place of examinations. The Commission shall cause an examination to be scheduled before an eligible list has expired or has been exhausted, or when a new position has been created for which there is no eligible list.

(E) Admitting Applicants to Examination

No applicant shall be admitted to any assembled examination after the advertised time for beginning such examination, or after any applicant competing in any such examination has completed the examination and left the examination room, except by special permission of the person in charge, who shall have discretion to admit the applicant conditionally, subject to the Commission's final approval or disapproval of such admission.

No applicant in any examination shall be given a longer time on any subject than prescribed by the Commission when examination questions are approved.

(F) Identity of Examinee Concealed

The identity of all persons taking competitive assembled examinations shall be concealed by the use of an identification number, which shall be used on all examination papers. This number shall be used from the beginning of the examination until the papers are rated. Any papers bearing the applicant's name or any other identification mark may be rejected and the candidate so notified.

(G) Frauds in Examinations

Frauds in examinations are prohibited and shall result in automatic disqualification. No person shall:

1. Willfully or corruptly or in cooperation with one or more persons deceive or obstruct any person in respect to the exercise of any right or privilege of examination, appointment, or employment under the civil service law and rules and regulations;
2. Willfully or corruptly falsely mark, grade, estimate, or report upon the examination or proper standing of any person examined, registered, or certified under the provisions of the civil service law, or aid in so doing;
3. Willfully or corruptly furnish to any person any special or secret information to either improve or injure the prospects or chances of any person so examined, registered, or certified, or to be appointed, employed, or promoted;
4. Willfully or corruptly make any false representation concerning the results of such examinations or concerning any person examined;
5. Willfully impersonate any other person, or permit or aid in any manner any other person to impersonate the applicant in connection with any examination, registration, appointment, application, or request to be examined, registered, or appointed;
6. Furnish any false information about the applicant, or any other person in connection with any examination, registration, appointment, application, or request to be examined, registered, or appointed;
7. Make known or assist in making known to any applicant for examination any question to be asked on such examination.

No applicant shall assist any other applicant during the taking of an examination; nor shall any applicant personally or through another person solicit favor from any member of the Commission, its staff, or an appointing officer. Any applicant in any examination found to be using any means of information other than that provided in the examination itself, such as memoranda, pamphlets, or books to assist in answering the questions shall have the examination papers taken up and filed with a zero marking when the circumstances justify such action.

Protests regarding the conduct of the examiners, the securing of unlawful assistance by a competitor, or other circumstances in connection with an examination as would call for an investigation by the Civil Service Commission may be submitted to the Commission, the Commission secretary, or any other person designated by the Commission. All

protests must be submitted in writing unless circumstances require that the information submitted be given in confidence; however, the confidentiality of such information cannot be guaranteed.

(H) Visitors at Examination

No visitors shall be admitted to the examination room during any examination except by special permission of the test administrator.

(I) Postponement and Cancellation

The Commission may postpone or cancel any examination because of an inadequate number of applicants or for any other just and sufficient cause. The Commission may alter the qualifications for admission to a postponed examination to secure an adequate number of applicants; however, these alterations shall be adequately publicized. Notice shall be given to all applicants when an examination is postponed or canceled and such additional announcements and publications as needed shall be issued to notify the public.

(J) Method of Grading

The total grade attainable in each examination, except for special credits, shall be one hundred (100). In examinations composed of more than one part, the method of scoring shall be:

1. Each part of the examination shall be separately rated and the proficiency of each competitor determined on the basis of a scale of one hundred (100) for maximum possible attainment.
2. Each part shall be assigned a weight based on the relative value of the part to that of the entire examination.
3. The earned grade of each examinee in each part of the examination shall be multiplied by the weight assigned to the part and the sum of the totals shall be the earned grade for the participant.
4. In addition to the Military ("Uniformed") Service credit provided for in these Rules, the Commission shall have the authority and the discretion with respect to examinations, other than promotional and noncompetitive examinations, to award additional credit points to an applicant's earned passing grade on an examination ("Additional" credit points). The total credit points to be awarded to one applicant, including Military ("Uniformed") Service credit points, shall not exceed ten (10) credit points. Additional credit points, if provided for by the Commission, shall be for educational or work-related experience that the Commission in its sole discretion determines to be related to the position which is the subject of the examination. The criteria for Additional credit points and the procedure for

applying for these credit points shall be clearly established by motion of the Commission and set forth in the publicized examination notice. The required proof of eligibility to be awarded Additional credit points, in the event the applicant achieves a passing grade on the examination, shall be established by a date and time prior to the commencement of the examination.

(K) Credit for Military ("Uniformed") Service

Any person who has completed service in the uniformed services and who has been honorably discharged from the uniformed services or transferred to the reserve with evidence of satisfactory service may file with the Commission a certificate of service or honorable discharge, and, upon this filing, the person shall receive an additional five (5) points credit, to be added to the applicant's earned passing grade resulting from the examination.

Requests for additional credit for uniformed service shall be filed with the Commission, along with the application preferably, but in no event later than the day of the examination. Credit for uniformed service will not be given if the request for such credit is received by the Commission after an eligible list for any examination has been established.

This credit shall not apply to any promotional or noncompetitive examination. When holding a combined open competitive and promotional examination for Chief of Police, no credit for uniformed service will be given to any applicant, either applicants currently in the City-service or applicants outside the City service.

As used in these Rules, "service in the uniformed services" and "uniformed services" have the same meaning as the "Uniformed Services Employment and Reemployment Rights Act of 1994,..." 38 U.S.C.A. 4303" which meaning shall be:

The Armed Forces, the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or a full-time National Guard duty, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in the time of war or national emergency.

(L) Examination Papers

No grades given in any examination shall be changed after the posting of an eligible list, except that the Commission may correct clerical errors at any time before the expiration of such lists. An applicant, upon request to the Commission, may be permitted to inspect the applicant's own examination papers and the markings thereof at any time within sixty (60) calendar days after such eligible list is posted, except examinations wherein the test developer will not allow the key to be published or retained. No note-taking, video reproduction, recording, or other form of reproduction will be permitted during such inspection.

(M) Method of Filling Promotional Vacancies

Vacancies in authorized positions above the lowest classifications in the classified service shall be filled, as far as practicable, by promotions. (Promotional ranks within the Police Department shall be filled in compliance with Section P of this Rule). The Commission shall determine in each case whether or not it is practicable to fill a vacancy by promotion, and from what classification or classifications such promotion shall be made and the type of examination to be used for the promotion. The type of examination may include written, oral, performance, or assessment center tests.

Eligibility for a promotional examination shall be limited to permanent employees who have satisfactorily completed their probationary period in a lower class.

Whenever there are three or more persons in a proper lower class eligible and willing to compete for a vacancy in a higher position, the Commission may, if it deems a satisfactory appointee can be obtained in this manner, hold a promotional examination open only to persons in that class/classes, in which case the names of the three persons having the highest passing ratings shall be certified to the appointing authority. If a promotional examination is not held and/or there are fewer than three persons eligible and willing to compete, the Commission may:

1. Hold an open competitive examination to fill the vacancy.
2. Hold a combined open competitive and promotional examination to fill the vacancy.
3. Permit the appointing authority to nominate one of such eligible persons for promotion without competition as an exceptional appointment, but in all cases of promotion without competition, the appointing authority shall submit a written statement showing that the duties performed by the person nominated are a natural preparation for the higher position, and that such person is entitled to promotion by reason of length of experience and effective performance.
4. Permit the appointing authority to underfill by provisionally appointing to the position an employee who has less than the minimum qualifications for the position. During the probationary period, which shall be three (3) months, the appointing authority shall designate training for the position. If the employee proves unsatisfactory during the probationary period in the sole discretion of the appointing authority, the employee may be reduced to the former rank.

(N) Grading of Promotional Examinations

Promotional examinations shall be graded in accordance with Section (J) of this Rule. Promotional applicants who receive a passing grade shall be granted additional credit points for seniority, which shall determine the final score. No additional credit shall be given for Efficiency Points or efficiency. The maximum number of additional credit points available shall be ten (10) percent of the maximum examination test score.

Seniority credit shall be given based on continuous service with the City as follows: one point is added for each of the first four years of an applicant's service and six-tenths of a point is added for each year of service for the next ten years of service. No credit is given for any years of service beyond fourteen years. For any half year of service, half of the foregoing credit shall be given. For purposes of the subsection (N), "continuous service" shall mean uninterrupted service with the City of Medina at the time of scoring of the examination, except for interruptions of continuous service caused by mandatory service in the "uniformed services" as defined in Rule VI(K). In promotional examinations for sworn officers of the Medina Police Department, credit for seniority shall be based only on continuous service in the Medina Police Department as a full-time sworn officer. Any applicant taking an examination for the position of Chief of Police shall not be given seniority points.

Efficiency Points or efficiency ratings will not be considered when determining the final scores on examinations for the positions of Chief of Police or Chief of Fire.

When a tie exists after calculation of the final score, including seniority credit, then seniority in the classification from which the promotion is sought shall determine the order of the scores. If a tie still exists, then seniority in the department shall determine the order of the scores. Seniority used to break ties shall be total service in the department, not continuous.

(O) Grading of Combined Open Competitive and Promotional Examinations

When the Commission holds a combined examination, promotional applicants who receive passing grades shall be ranked on the eligible list ahead of the open competitive applicants regardless of final passing grade. Open competitive applicants who have received passing grades shall receive uniformed service credit in addition to the test score in accordance with Section (K) of this Rule. Promotional applicants who have received passing grades shall be granted additional credit points for seniority in accordance with Section (N) of this Rule.

(P) Police Promotions

Vacancies in positions above the rank of Patrol Officer and below the rank of Chief shall be filled by promotion from among persons holding positions in a rank lower than the position to be filled. No person shall be appointed to such position without having first completed a competitive promotional examination and serving at least two years in the Medina Police Department in the next lower rank (service for the purpose of this section shall mean cumulative, as opposed to continuous, service). If there are fewer than two

persons holding positions in the next lower rank than the position to be filled who are eligible and willing to compete, the Commission shall allow persons holding positions in the next lower rank who are eligible and willing to compete to take the promotional examination. Promotional tests may include oral components as well as written. No additional credit shall be given on a promotional examination in the Police Department for Efficiency Points or efficiency.

Pursuant to the Medina Charter, promotional appointments in the Police Department shall be made in accordance with the provisions of Ohio Revised Code Sec. 124.44 except as follows:

1. The Civil Service Commission shall certify to the appointing authority the names of the three persons on the eligible list having the highest passing rating. The appointing authority shall fill such position by appointment of one of the three persons certified.
2. In the case of a vacancy in the position of Chief, the appointing authority may admit two additional candidates to the examination provided those candidates possess the job-related qualifications specified by the Commission.

(Q) Fire Service Promotion

Pursuant to the Medina Charter, promotional appointments in the Fire Department shall be made in accordance with the provisions of Ohio Revised Code Sec. 124.45 except as follows:

1. The Civil Service Commission shall certify to the appointing authority the names of the three persons on the eligible list having the highest passing rating. The appointing authority shall fill such position by appointment of one of the three persons certified.
2. In the case of a vacancy in the position of Chief of the Fire Department, the appointing authority may admit two additional candidates to the examination provided those candidates possess the job-related qualifications specified by the Commission.

No additional credit shall be given on a promotional examination in the Fire Department for Efficiency Points or efficiency.

(R) Police Lateral Transfer Hires

Experienced peace officers from other jurisdictions who have obtained and maintained Basic Ohio Peace Officer Certification may be eligible for lateral transfer appointment as a Patrol Officer. Applicants appointed as lateral transfer hires shall only be appointed to the rank of Patrol Officer. Police Lateral Transfer candidates shall be entitled to the Credit for Military ("Uniformed") Service to be added to their examination score as

provided for in part K of this Rule and any other credits to their examination scores as established by the Commission pursuant to this Rule VI.

RULE VII
ELIGIBLE LISTS

(A) Posting of Lists

From the results of each competitive examination, the Commission shall prepare and keep open to public inspection a list of the persons whose grade in any examination meets or exceeds the established passing grade and who are otherwise eligible. Such persons shall take rank upon the eligible list in the order of their respective grades. An eligible list for a noncompetitive examination will consist of an alphabetical listing of qualified applicants.

The eligible list for lateral transfer Police Patrol Officers shall be kept separately from the eligible list for original appointment Police Patrol Officers. The Commission shall have the sole discretion to determine the duration of any eligible list for lateral transfer Police Patrol Officer and may provide for a continuing eligible list with no expiration date and with eligible candidates being placed on the eligible list according to their test scores and credit points that are established at any time.

(B) Duration of Lists

Eligible lists created by the Commission shall remain in force not longer than one (1) year; however, the Commission may, at its discretion, extend the eligible list for a total period not to exceed two (2) years or may abolish any list that has been in force for more than six (6) months and hold a new examination whenever, in its judgment, the interest of the public service so requires. No name shall remain on a list longer than two (2) years.

All persons whose names appear on an existing list that is to be abolished before the regular expiration date shall be notified and given an opportunity to compete in the new examination process.

Eligible lists resulting from unassembled examinations shall remain in effect for one (1) year from date of examination and, insofar as possible, notification of the expiration date will be sent to those persons being removed from the list.

(C) Breaking Tied Grades

In the event two (2) or more applicants receive the same grade on an open competitive examination, priority in the time of filing the application with the Commission shall determine the order in which their names shall be placed on the eligible list; applicants eligible for uniformed service credit shall receive priority in rank on the eligible list over non-veterans on the list with a rating equal to that of the veteran. Ties among applicants receiving military service credit shall be decided by which application was filed earlier

with the Commission. (See Section (N) of Rule VI for breaking tied grades on promotional examinations.)

(D) Transfer

At the discretion of the Commission, any eligible may at any time, by written request, be transferred to the eligible list for a lower class in the same series requiring qualifications of the same general character, ranked according to the eligible's original grade.

(E) Change of Address

Each person on an eligible list shall file with the Commission a written notice of any change of address, and failure to do so may be considered sufficient reason for not certifying the eligible's name to the appointing authorities for consideration for appointment.

(F) Investigation and Disqualification of Eligibles

Upon the establishment of an eligible list, and except as otherwise prohibited by law, the Commission may conduct or authorize an investigation as to whether the eligibles possess the necessary standards of fitness, physical attributes, mental soundness, or other qualifications required to perform the duties and responsibilities of the position sought. The eligibles may be investigated before certification.

The investigation may include physical fitness examination, medical examination, psychological and/or psychiatric examination, polygraph examination, background investigation, personal interview, drug testing, or any other method necessary to ascertain the applicant's qualifications and abilities, as determined by the Commission.

If an eligible is found during the investigation to be unqualified or unsuitable for the position, the Commission shall remove the person's name from the eligible list. If the Commission removes a name from an eligible list, the person shall be promptly notified by certified mail (return receipt requested) or personal service or Fed-Ex (with signature requested) or substantially, similar, commercial mailing system of the removal and advised that an appeal may be filed within seven (7) calendar days after issuance of the notice; however, no appeal may be made for reinstatement to an eligible list that has expired or been revoked.

The Commission may reinstate the person to the eligible list upon a showing of just cause. The Commission may dismiss the appeal if the person does not appear at the scheduled hearing. If testimony is heard concerning the appeal, the Commission shall have the witnesses placed under oath or affirmation of truthfulness, shall permit cross-examination, and shall announce its conclusions of fact.

Where the Commission is unable for practical or legal reasons to conduct examinations to determine whether applicants have medical or psychiatric conditions that would prevent satisfactory performance of all essential functions of the position, the Commission's certification of an eligible shall not signify that the person meets all requirements for the position relating to physical and psychological abilities.

(G) Revocation of List

An eligible list may be revoked and another examination ordered when the Commission deems revocation to be advisable for reasons of errors, fraud, or obviously inappropriate standards prescribed in connection with any examination. All eligible applicants in the first examination shall be notified and shall be eligible to participate in the rescheduled examination without filing a separate application; however, if the eligible list has been in place for six (6) months or longer before being revoked, all applicants shall pay the required filing fee. The revocation of any list and the reasons therefore shall be entered in the minutes of the Commission, and any person on the list at the time of revocation shall be so notified by mail.

RULE VIII
APPOINTMENTS

Permanent appointments to all positions in the classified service that are not filled by promotion, transfer, or reduction shall be made from those persons whose names are certified to the appointing authority in accordance with the Civil Service Laws of the City and the Rules of the Commission.

(A) Number of Names to Be Certified; Appointment from Other Appropriate Lists

1. The appointing authority of the department in which the position in the classified service is to be filled shall notify the Commission of the fact, and, except as set forth below, the Commission shall certify to the appointing authority the names and addresses of the five (5) candidates standing highest on the eligible list for the class or grade to which the position is classified. In the event that an eligible list becomes exhausted through inadvertence or otherwise, and until a new list can be created or when no eligible list for such position exists, names may be certified from eligible lists that the Commission determines appropriate for the group or class in which the position to be filled is classified.
2. In cases where there are fewer than five (5) names on an eligible list appropriate for certification to any vacancy, such names shall be certified, and the appointing authority may make selection from such certification or may reject the certification of fewer than five (5) names.
3. The number of names to be certified shall be determined in the following manner:
 - a. For 1 through 4 vacancies, add 4 names to the number of vacancies.
 - b. For 5 through 8 vacancies, add 8 names to the number of vacancies.
 - c. For 9 through 12 vacancies, add 12 names to the number of vacancies.
 - d. For 13 through 16 vacancies, add 16 names to the number of vacancies.
4. Notwithstanding these provisions, the Commission shall certify the names of the highest ten (10) eligible candidates for a position as Patrol Officer.

The appointing authority shall have the option to hire from either the certified eligible list for original appointment Patrol Officers or the certified eligible list for lateral transfer Patrol Officers. In the event there is no eligible list in effect for original appointment Patrol Officer, the Commission shall not be required to certify an eligible list for lateral transfer Patrol Officer to the appointing authority unless requested to do so by the appointing authority.

If the Director of Public Safety seeks to fill more than one Patrol Officer position, the Commission shall certify sufficient names to allow each appointment to be selected from

a group of ten (10) eligibles. (For example, for 1 through 4 Patrol Officer vacancies, add nine (9) names to the number of vacancies, for 5 through 8 Patrol Officer vacancies, add eighteen (18) names to the number of vacancies.)

(B) Certification Not More Than Three Times

A person certified from the same eligible list three (3) times to the same appointing authority may be omitted from future certifications unless the appointing authority has specifically requested certification of that person. A person is "certified," for purposes of this section, each time an appointment is made from a certified list containing that

person's name; however, if a person is certified when more than one (1) position is to be filled, that person shall remain eligible through up to five (5) appointments from that particular certified list. If fewer than five (5) appointments are made from that certified list, the person shall be eligible for future certification until the person has been considered for appointment five (5) times.

(C) Names Not to Be Certified for Appointment

The name of any person appearing on an eligible list who:

1. fails to report or arrange within seven (7) calendar days for an interview with the appointing authority;
2. fails to respond to a notice from the Commission within seven (7) calendar days;
3. declines an appointment without reasons satisfactory to the Commission;
or
4. cannot be located by the postal authorities

shall not thereafter be certified to any appointing authority as eligible for appointment unless a thoroughly satisfactory explanation of the circumstances is made to the Commission. A person removed from eligibility in this manner shall be notified by written notice sent by certified mail (return receipt requested), personal service, or Fed-Ex (with signature requested) or substantially, similar, commercial mailing system to the last address provided by the applicant. Where an eligible person's name appears on more than one (1) list, appointment to a position in one (1) class shall be considered a waiver for appointment from other eligible lists for classes of equal or lower salary.

(D) Objection by Appointing Authority

When an objection is made by an appointing authority that any person certified:

1. is unable to perform the essential functions of the position;
2. is currently a user of drugs of abuse;
3. has been guilty of infamous or notoriously disgraceful conduct;

4. has been convicted of a felony or of a misdemeanor involving moral turpitude or moral delinquency;
5. has been dismissed from a position in the civil service and removed for cause or did not resign in good standing;
6. has made a false statement of any material fact or practiced or attempted to practice any deception or fraud in an application or examination concerning employment by the City or the City Schools;
7. has a record of excessive traffic citations and/or chargeable accidents, and the position the individual is applying for requires driving; or
8. is unable to meet the Commission's qualification standards

the Commission shall, if such objection is shown to be well taken, vote to strike the name of such person from the eligible list and certify another name. Before striking the name of such person from the eligible list and/or certifying another name, the Commission shall notify such person by certified mail (return receipt requested) or by personal service, or by Fed-Ex (with signature required) or other substantially, similar, commercial mailing system. The applicant may appeal such objection to the Commission within seven (7) calendar days after issuance of notification. If the person fails to appear for the hearing, or upon being heard, fails to show just cause why the Commission should reinstate the person's name to the eligible list, removal will stand and another name will be certified.

(E) Appointment from Certified List

Upon receipt from the Commission of a certified list of eligibles for appointment to a position, the appointing authority shall fill such position by appointment of one (1) of the five (5) persons certified. The appointing authority shall promptly report to the Commission the name of the appointee, the title of the position, the duties and responsibilities of the position, the salary or compensation of the position, and such other information as the Commission may require in order to keep its roster.

(F) Waiver of Certification

An eligible may waive certification by written notification to the Commission. A waiver of certification shall remain in effect until withdrawn in writing, at which time the eligible is reinstated to the position originally held on the eligible list. A waiver may not exceed six (6) months, and may not be used more than two (2) times. After two (2) waivers, or after six (6) months have passed on a waiver, the eligible's name shall be removed from the eligible list. Whenever one (1) or more of the eligibles who have been certified waive certification or fail to respond to notice of certification, the Commission shall supplement the certification from the eligible list by an equal number of additional names.

(G) Rejection of Appointment

An eligible who has declined appointment to a permanent position shall be removed from the eligible list and shall not thereafter be certified for the same position from that eligible list, unless a reason for declining the appointment is approved as satisfactory by the Commission.

(H) Promotional Appointments

The appointing authority of the department in which a vacancy is to be filled by promotion shall notify the Commission of the fact. If there is an eligible list for such position, the Commission shall immediately certify to the appointing authority the names of the three (3) persons standing highest on such list. The number to be certified shall be determined in the following manner:

1. For 1 through 4 vacancies, add 2 names to the number of vacancies.
2. For 5 through 8 vacancies, add 4 names to the number of vacancies.
3. For 9 through 12 vacancies, add 6 names to the number of vacancies.

If there is no such list and the position that is vacant is deemed to require a competitive examination, the Commission shall, within sixty (60) calendar days after notification, conduct a competitive promotional examination for the position and shall certify to the appointing authority the names of the persons heading the eligible list established as the result of such examination.

Upon certification to the appointing authority, appointment shall be made within thirty (30) calendar days. If the number of names eligible for certification is less than the number provided for in this Section, the appointing authority shall make the appointment from the number certified.

(I) Temporary Promotional Appointment

If a vacancy occurs in a higher position for which there is no eligible list, a temporary promotion may be made from among the employees in the next lower classification upon the request of the appointing authority and approval by the Commission; however, no such temporary promotion shall become permanent or shall continue beyond the establishment of an appropriate eligible list and an appointment therefrom.

(J) Temporary, Exceptional, and Provisional Appointments

1. Temporary Appointment

An appointing authority may appoint a qualified person for a temporary period of service when the usual procedure of requisition and certification is not suitable and when the need of service is urgent and necessary to prevent the loss of public property, serious inconvenience to the public, or damaging delay to the public service. The temporary appointment shall not exceed nine hundred sixty (960) hours worked in a calendar year and shall not be counted as a part of the probationary service in the event of subsequent appointment to a permanent position.

Temporary appointments made necessary by reason of sickness or disability shall not continue beyond such period of sickness or disability.

2. Exceptional Appointment

In case of a vacancy in a position in the classified service where peculiar and exceptional qualifications of a scientific, managerial, professional, or educational character are required, and upon satisfactory evidence that for specified reasons competition in such special case is impracticable and that the position can best be filled by a selection of some designated person of high and recognized attainments in such qualities, the Commission may waive the Rules, but no waiver shall be general in its application.

3. Provisional Appointment

a. Procedure for Appointment

Whenever there are urgent reasons to fill a vacancy and the Commission is unable, upon requisition, to certify eligibles from an eligible list, the Commission shall notify the appointing authority, who may then appoint a person to fill the vacancy. The appointing authority shall send notice of such appointment, with complete data for the official roster, to the Commission.

b. Tenure

Regardless of the length of service by a provisional appointee, a provisional appointment shall continue in force only until a permanent appointment can be made as a result of a certification by the Commission. No provisional

appointment is valid once a certification can be made from an appropriate eligible list, regardless of whether the employee holding the provisional appointment may be eligible for permanent employment as hereinafter provided. A provisional employee shall serve a probationary period and may also be removed for cause.

c. Procedure upon Establishment of an Eligible List

The Commission shall remove any provisional appointee who does not take the examination held for the position, or who takes the examination and does not pass, from the position within fifteen (15) working days after the establishment of the eligible list for the position. Immediately upon establishing the eligible list, the Commission shall notify the employee and the appointing authority for the position of the termination of the provisional appointment.

Before establishment of an eligible list by the Commission, it shall certify for appointment as a permanent employee any provisional appointee who satisfactorily completed the probationary period or at least six (6) months of service, whichever is longer, before the examination was held for the position and who passed the examination. The employee shall have all the rights of a permanent employee and shall not be required to complete an additional probationary period.

The Commission shall place on the eligible list and certify for consideration by the appointing authority in the normal manner any provisional appointee who had not completed the probationary period or six (6) months of service, whichever is longer, by the time of examination for the position and who passed the examination. In the event of a tied grade, however, the Commission shall consider the candidate's length of provisional service in the position before considering priority of filing application. Regardless of whether the provisional employee is eligible for inclusion in a certification upon establishment of the eligible list, the Commission shall notify the employee and the appointing authority that the provisional appointment shall be terminated within fifteen (15) working days of establishment of the eligible list and issuance of a certification of eligibles.

4. Substitute Employees

A substitute employee may work in place of a permanent or provisional employee who is ill or on vacation, leave of absence, or personal leave. The name of the permanent or provisional employee for whom the substitute employee is working shall be designated on the payroll. A substitute employee acquires no rights with respect to the position being filled.

5. *Police Patrol Officer Lateral Transfer Hires*

Seniority for lateral transfer Patrol Officers shall be based on the date of hire by the City. Seniority for promotion or lay-off purposes for lateral transfer Patrol Officers shall also begin with the date of appointment as a Patrol Officer with the City Police Department.

(K) Probation

1. Purpose

The probationary period shall be regarded as an integral part of the examination process and shall be used to closely observe the employee's work, to give the employee full opportunity to demonstrate successful performance on the job, and to remove any employee whose performance does not meet required work standards. No appointment or promotion shall be deemed final until the appointee has satisfactorily served the probationary period.

2. Probationary Period

All original appointments, including provisional appointments, shall be for a probationary period, from first work day, of not less than six (6) months (sixty (60) days for City Schools Civil Service employees) except that the following original appointments shall serve a probationary period of one (1) year or period stated in the collective bargaining agreement, in force at time of hire, for any individual stated below who is a member of a union:

1. Appointees to Patrol Officer in the Police Department
2. Appointees to Secretary to the Civil Service Commission
3. Appointees to Police Communication/Records Supervisor
4. Appointees to Police Communications Operator
5. Appointees to Police Records Clerk

Service as a provisional employee in the same or similar class shall be included in the probationary period. Time spent on approved leave, including jury duty, shall not be counted as part of the probationary period.

Lateral transfer Patrol Officers shall serve a probationary period of one (1) year. Following successful completion of the probationary period, employees selected through the lateral transfer process shall be entitled to all other rights attributed to the classified service.

At the request of the appointing authority, the Commission may extend an employee's probationary period, provided that the request is submitted at least one (1) week before the expiration of the probationary period and that the employee agrees in writing to the extension; however, the Commission shall not extend the probationary period for longer than six (6) months. If a timely request for extension is denied and the

probationary period has by that time expired, the time deadline for the appointing authority to act during the probationary period shall be stayed and the appointing authority shall immediately complete the final probationary evaluation.

A provisional appointee's probationary period cannot be extended past the date scheduled for the examination for the appointee's position.

3. Probationary Period for Promotional Appointments

All permanent promotional appointments in the classified service shall serve a probationary period of forty-five (45) calendar days from the date of such promotion (thirty (30) days for City Schools Civil Service employees), except that the following promotional appointment shall serve a probationary period of one (1) year:

1. Appointees to Police Lieutenant
2. Appointees to Police Chief
3. Appointees to Fire Lieutenant
4. Appointees to Fire Captain
5. Appointees to Fire Operations Captain
6. Appointees to Fire Assistant Chief
7. Appointees to Fire Marshall
8. Appointees to Fire Chief
9. Appointees to Secretary to the Civil Service Commission

If, during that period, the service of the employee so appointed is not satisfactory, the employee may be reduced to the position from which the promotion was made.

4. Probation Reports

All classified employees shall be evaluated during the probationary period. On a form furnished by the Commission, the probationary employee will be evaluated at a point halfway through the first half of the probationary period, at the halfway point, and within the last thirty (30) calendar days of the probationary period.

The probationer will receive a copy of each evaluation.

On the final probationary evaluation, the appointing authority shall indicate acceptance or rejection of the employee. This report must be delivered to the Commission by the end of the probationary period, but subject to the probation extension, denial, and exception provisions of paragraph 2 above. If no such report is submitted, the employee's appointment automatically becomes permanent.

ORDINANCE NO. 9-23

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH ENVIROSCIENCE, INC. FOR SITE INVESTIGATION, DESIGN, PERMITTING AND CONSTRUCTION OVERSITE SERVICES AS PART OF THE ROCKY RIVER STABILIZATION PROJECT AT HUFFMAN CUNNINGHAM PARK.

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

- SEC. 1:** That the Mayor is hereby authorized to execute a contract with EnviroScience, Inc. for site investigation, design, permitting and construction oversite services as part of the Rocky River Stabilization Project at Huffman Cunningham Park.
- SEC. 2:** That a copy of the Contract is marked Exhibit A, attached hereto and incorporated herein.
- SEC. 3:** That the funds to cover the contract, in the estimated amount of \$42,500.00 are available in Account #171-0301-52215 (ARPA 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: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

December 06, 2022

ORD 9-23
EXH. A

Jansen Werhley
City of Medina
132 Elmwood Ave.
Medina, OH 44256

RE: *Rocky River Stabilization Project at Huffman Cunningham Park*

Dear Mr. Werhley,

EnviroScience is pleased to submit a scope and fee for site investigation, design, permitting, and construction oversight services as part of the proposed bank stabilization project at Huffman Cunningham Park located on the Rocky River in Medina, OH. The following scope and associated fees are a necessary step in resolving the erosion problems.

Task 1: Site Investigation - \$3,300. Data Collection is required to collect topographic elevations for design and modeling. EnviroScience will contact OUPS to locate any known utilities but if Medina staff know of private utilities running through or adjacent to the project area we would appreciate any plans or locations marked such that it can be incorporated into the plans. This information is critical to successful development of a 30% and 60% design.

Task 2. Design Development - \$17,700. Task 1 will illuminate the design limits for stabilizing the bank. A preliminary 30% design plan and a 60% design set will be generated to include the following sheets. A client review period will take place after each plan set deliverable. Project bidding will occur at 60% level plan set. Specifications for the project will be included in the plans, no specifications book will be created as part of this task.

- 30% Plans should include
 - Title Sheet
 - General Notes and Specifications (2 sheets)
 - Property Boundary/Survey Plan (if provided by professional surveyor)
 - Existing Conditions & Demolition Plan
 - We usually combine this into one sheet however can be split into two if necessary for clarity
 - Overall Plan
 - Plan & Profiles – avg slopes in profile for prop tw and bkf (include ex bkf and rtob/ltob), rough riffle/pool locations
 - Standard Details
 - Typical Sections
- 60% Plans should include all sheets already started in 30% plus the following:
 - Plan & Profiles – detailed riffle, run, pool, glide elevations; bankfull elevations at begin/end riffle at minimum
 - Cross Sections
 - Planting Plan (trees, seeding, details)
 - SWPPP (4 sheets total)
 - 1 gen notes



5070 Stow Road
Stow, OH 44224

- 1 plan
- 2 details

Task 3: Environmental Permitting - \$4,500. This task covers the development of the USACE Nationwide 13 application in order to place fill below the ordinary high water mark. This task does not include the development of a Notice of Intent (NOI) as that will be the responsibility to fill by City of Medina as the owner of the property. We have included 4 hours of coordination time with local floodplain administrator as this is in a FEMA Zone A. We have not included any coordination with FEMA and a LOMR is not included in this estimate. We do not anticipate the need for a LOMR or substantial coordination with FEMA because a Zone A designation allows for up to a 1 foot rise in base elevation.

Task 4: Mussel Reconnaissance Survey and Report - \$9,000. This task covers the minimum required mussel reconnaissance, report, and agency coordination to obtain site specific approval to complete the stabilization project. In the event the reconnaissance survey discovers mussels are found, a full mussel survey and relocation effort is then required. All mussels in Ohio are protected by the Ohio Division of Natural Resources. The earliest date the investigation can begin is May 1st. We will complete the mussel recon survey as part of the permit application. This price includes the mussel recon survey and report. If live or dead mussels are detected, a full mussel survey will be needed along with possible relocation. The full mussel survey and potential relocation would be additional costs. Survey data are considered valid for a period of five (5) years from the date of the initial survey.

Task 6: Construction Oversight- \$8,000. Construction oversight will consist of approximately 60 hours of oversight for the entirety of the projected three (3) weeks of construction. Typically, these hours are front-loaded to help the contractor understand the intent of the project and answer specific questions while overseeing work. Oversight will ensure that the contractor builds the project to the specifications of the design to reduce the risk of project failure. The City of Medina representative will receive a progress report for each day that oversight is conducted. The plan set was developed to a 60%-level to allow for flexibility during construction. This flexibility will allow for minor adjustments that may be needed in the field as construction progresses towards the goal of a sustainable solution to the currently severely eroded bank. This fee includes a pre-construction meeting and final walk through meeting to identify any punch-list items that may need addressed prior to demobilization.

If you find the scope and fee (\$42,500.00) acceptable, please sign the acceptance page of this letter proposal and return it to us. We will return a fully executed copy for your records.

Sincerely,



Julie Bingham
Restoration Practice Area Manager

CC: Tom Prewitt, Restoration Biologist / Project Manager

AUTHORIZATION TO PROCEED

EnviroScience, Inc. is prepared to begin work immediately upon written authorization to proceed. Costs for this proposal are \$42,500.00. This is a lump sum agreement. The price in this proposal is valid for 60 days from the date of issuance. Terms and Conditions are provided below.

Once the task(s) have been accepted, an officer of EnviroScience will sign, and we will return a fully executed copy for your records.

EnviroScience Executive Officer

Date

Accepted and Authorized to Proceed

Name

Title

Date

TERMS AND CONDITIONS

1. General

The following Standard Terms and Conditions, together with the attached Proposal and Fee Schedule, constitute the Agreement between EnviroScience, Inc. ("ES") and the entity or person to whom the proposal is addressed ("Client") for the performance of professional services outlined in the proposal. The Standard Fee Schedule may be omitted for Lump Sum type Agreements.

2. Performance of Services

ES's services will be performed in accordance with generally accepted practices of engineers and/or scientists providing similar services at the same time, in the same locale, and under like circumstances.

3. Invoices and Payments

ES will submit Invoices to the Client monthly for work completed during the previous month and a final invoice upon completion of services. Payment will be due within thirty (30) days from invoice date. The Client agrees to pay a service charge of one and one-half (1.5%) percent per month (18% per annum) on past due payments. If an invoice remains unpaid for a period in excess of sixty (60) days, ES reserves the right to pursue all appropriate remedies, including stopping work and retaining all drawings and information without recourse. In the event ES must engage counsel to enforce overdue payments, the Client will reimburse ES for all reasonable attorney's fees and court costs.

4. Insurance

ES is protected by Workers' Compensation Insurance, Commercial General Liability Insurance, and Automobile Liability Insurance coverages. ES will furnish certificates of insurance upon the Client's request.

5. Disclosure of Hazards

ES will take reasonable precautions for the health and safety of ES's employees while at the Clients' Site with consideration for the available information regarding existing hazards. The Client will furnish to ES at the time of the Client's authorization to proceed, all information known to the Client, Client's Counsel, or Site Owner concerning physical hazards, oil, hazardous, toxic, radioactive, or asbestos material in, on, or near the site. If hazards are known to exist and the Client fails to advise ES of such substance or condition, and during the course of the work they are discovered, and such discovery in ES's opinion results or may result in injury or a health risk to persons, whether ES's employees or others, the Client agrees to assume full responsibility and liability and shall hold ES harmless for any and all claims, demands, suits, or liabilities for personal injury, including disease, medical expenses, including but not limited to, continued health monitoring, and/or death, or property damage, and for economic loss, including consequential damages.

6. Confidentiality

ES will hold confidential all business and technical information obtained or generated in performance of services under this Agreement. ES will not disclose such information without the Client's written and/or verbal consent except to the extent required for: 1) performance of services under this Agreement; 2) compliance with professional standards of conduct for the preservation of public safety, health, and welfare; 3) compliance with any court order, statute or law, or governmental directive; and/or 4) protection of ES against claims or liabilities arising from the performance of services under this Agreement. ES's obligations hereunder shall not apply to information in the public domain or lawfully obtained on a non-confidential basis from others.

7. Ownership of Documents and Processes

All documents (including drawings, specifications, estimates, field notes, and other data) and all processes (including scientific, technological, software, and other concepts, whether or not patentable), created, prepared, or furnished under this Agreement by ES or ES's independent contractors and consultants pursuant to this Agreement, are instruments of service in respect of the Project and shall remain the property of ES whether or not the Project is completed. ES shall retain ownership of all documents, drawings, specifications, estimates, field notes, other data, and developed technology or processes and any copyright or right to patent thereto. Upon payment in full to ES, the Client may make and retain copies thereof as is necessary to be used for completed Project only. Such documents are not intended or represented to be suitable for additions,

extension, alterations, or completion of the Project by others, or use in any other project. Any reuse without written verification or adaptation by ES for the specific purpose intended is at the Client's sole risk without liability or legal exposure to ES or its independent contractors or consultants.

8. Trade Secrets and Proprietary Information

The Client acknowledges that ES has developed a number of protocols, techniques, and procedures, as well as specialized equipment for performing and ensuring the quality of laboratory and field services that it provides. Further, the Client acknowledges that ES regards this technical information as being its trade secrets. Client agrees not to use or disclose, directly or indirectly, any such trade secret to any person or organization, unless expressly authorized by ES.

9. References

The Client agrees that ES has authority to use the Client's name and general descriptions of the project work or service performed as references to other clients.

10. Dispute Resolution

All claims, disputes, or controversies arising out of or in relation to the interpretation, application, or enforcement of this Agreement shall be first submitted to non-binding mediation pursuant to the Rules for Commercial Mediation of the American Arbitration Association before legal action is initiated by the other party.

11. Legal Action

All legal actions by either party against the other for any cause or causes, including but not limited to breach of this Agreement, negligence, misrepresentation, breach of warranty, or failure to perform in accordance with the standard of care, however denominated, shall be barred five (5) years from the day after completion of ES's services or the time that the party knew or should have known of this claim, whichever is sooner.

12. Precedence

These Terms and Conditions shall take precedence over any inconsistent or contradictory provisions contained in any proposal, contract, purchase order, requisition, notice to proceed, or like document.

13. Severability

If any of the Terms and Conditions are finally determined to be invalid or unenforceable in whole or part, the remaining provision shall remain in full force and effect, and be binding upon the parties. The parties agree to reform these Terms and Conditions to replace any such invalid or unenforceable provision with a valid and enforceable provision that comes as close as possible to the intention of the stricken provision.

14. Survival

These conditions shall survive the completion of ES's services on this project and the termination of services for any cause.

15. Governing Law

This Agreement shall be governed and construed in accordance with the laws of the state of Ohio.

Request for Taxpayer Identification Number and Certification

**Give Form to the
 requester. Do not
 send to the IRS.**

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
ENVIROSCIENCE, INC.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

Individual/sole proprietor or single-member LLC

C Corporation

S Corporation

Partnership

Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ▶ _____

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
5070 STOW ROAD

6 City, state, and ZIP code
STOW, OH 44224

7 List account number(s) here (optional)

Requester's name and address (optional)

Print or type.
 See Specific Instructions on page 3.

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
or									
Employer identification number									
3	4		1	6	0	3	5	0	5

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here

Signature of U.S. person ▶

Gregory F. Zimmerman

Digitally signed by Gregory F. Zimmerman
 DN: cn=Gregory F. Zimmerman,
 o=EnviroScience, Inc., ou=Vice President,
 email=gzimmerman@enviroscienceinc.co
 m, c=US
 Date: 2022.02.18 14:46:29 -0500

Date ▶ 2/18/2022

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

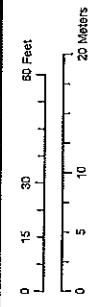
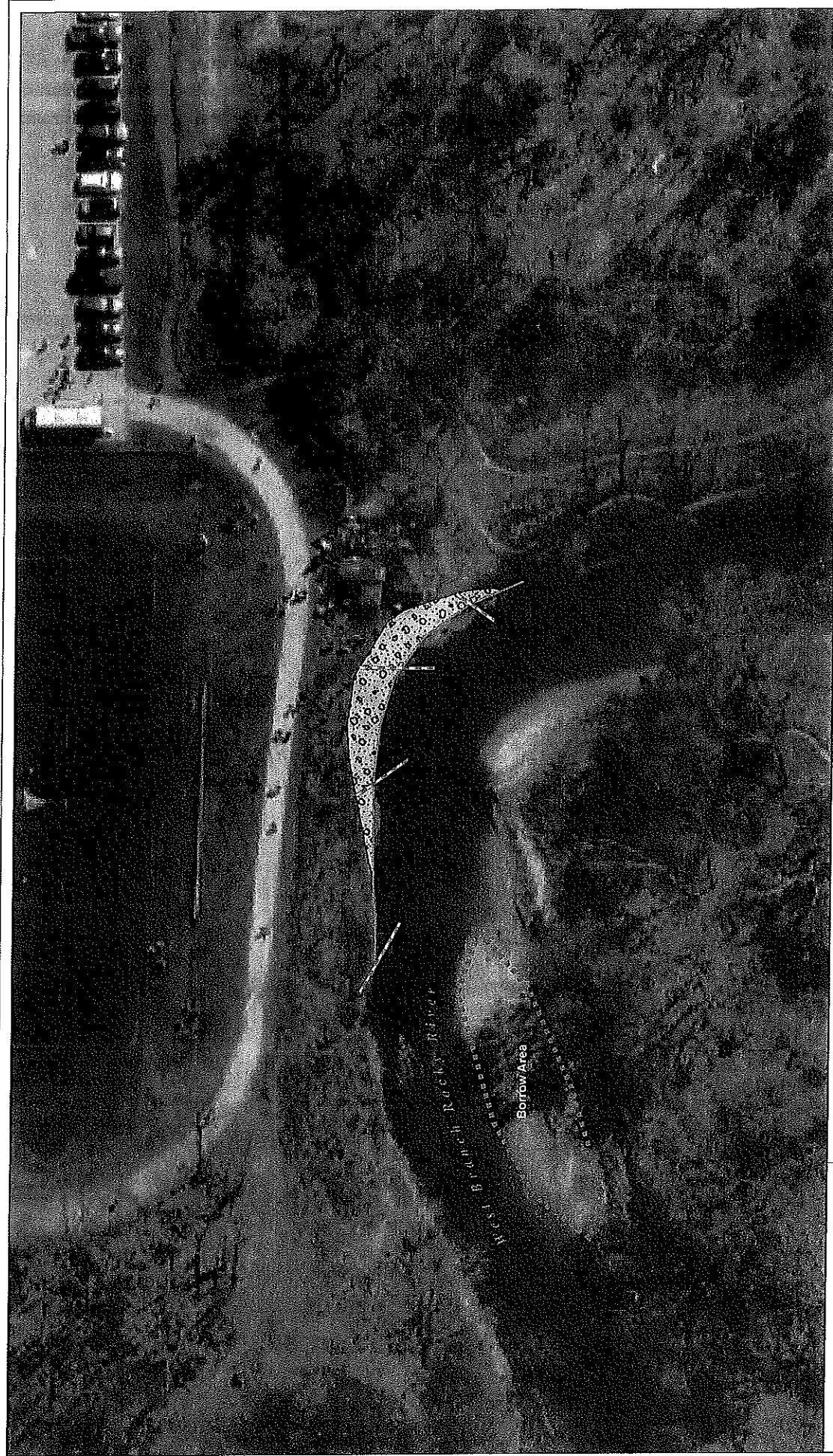
Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
 - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 - Form 1099-S (proceeds from real estate transactions)
 - Form 1099-K (merchant card and third party network transactions)
 - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.






-  Borrowed Weils
-  Bank Stabilization
-  Rock Infill

Figure 1.
 Huffman/Cunningham Fields
 Bank Stabilization Concept - Part A.



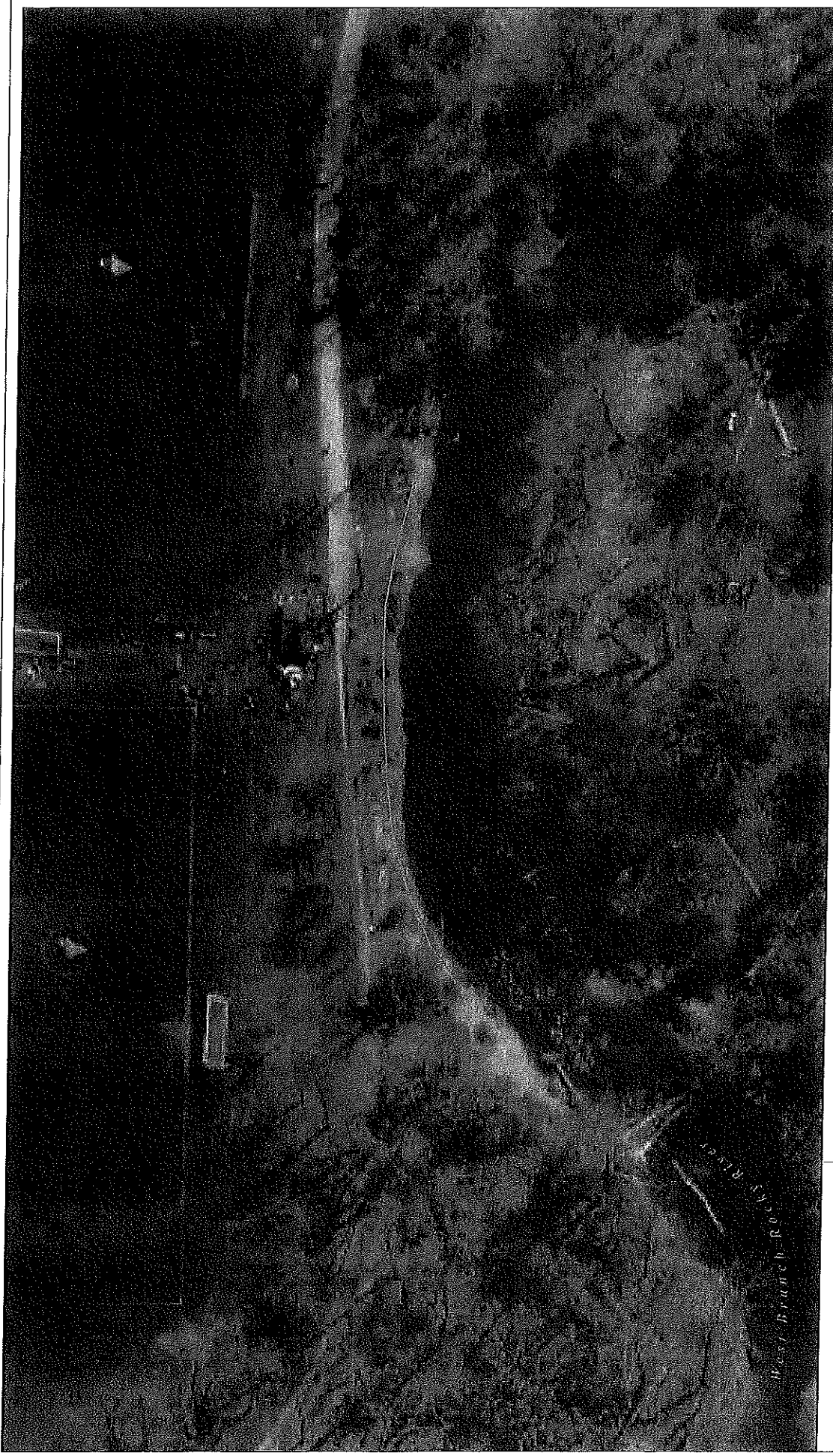
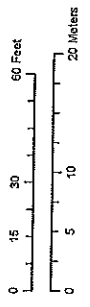


Figure 1.

Huffman/Cunningham Fields
Bank Stabilization Concept - Part B.

Bank Stabilization



EnviroScience
Excellence In Any Environment

ORDINANCE NO. 10-23

AN ORDINANCE AMENDING SECTION 31.05 AND 31.07 OF THE SALARIES AND BENEFITS CODE OF THE CITY OF MEDINA, OHIO RELATIVE TO THE REORGANIZATION OF THE PARKS AND RECREATION DEPARTMENT AND THE RECREATION CENTER AND ACCEPTING VARIOUS NEW AND REVISED JOB DESCRIPTIONS.

WHEREAS: Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio presently reads as follows, pertaining to the Parks and Recreation Department:

PARKS AND RECREATION DEPARTMENT

<u>Number</u>	<u>Classification</u>	<u>Steps Authorized</u>
1	Parks Director/Superintendent of Parks, Cemetery & Forestry	Pay Grade 114 (annual salary paid bi-weekly)
1	Parks Foreman	37 A-F
1	Parks Maintenance Technician	32 A-F per contract
1	City Arborist	9 A-F
1	Laborer	31 A-F per contract
1	Sexton	34 A-F per contract
1	Clerical Help	Sec. 31.02(B)(1)
1	Cemetery Laborer	31 A-F per contract
1	Turf Technician	per contract + 7%
	Part-time and Seasonal Employees	Sec. 31.02(A)(1)&(B)(1)

(Ord. 273-05, 7-06, 76-08, 81-09, 134-11, 27-13, 173-13, 32-14, 98-17, 48-18, 56-20, 98-21, 111-22, 215-22)

WHEREAS: Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio presently reads as follows, pertaining to the Recreation Center:

RECREATION CENTER

<u>Number</u>	<u>Classification</u>	<u>Steps Authorized</u>
1	Recreation Center Director	Pay Grade 112 (annual salary paid bi-weekly)
1	Recreation Center Superintendent	15 A-F
1	Recreation Center Aquatics Manager	11 A-F
1	Recreation Center Program Manager	11 A-F
1	Recreation Center Office Administrator	10 A-F
1	Recreation Center Financial Assistant	9 A-F
1	Recreation Center Program Specialist	6 A-F
1	Recreation Center Facility Supervisor	9 A-F
	Part-time Employees*	Section 31.02(E)

* That the Recreation Center Director is responsible for notifying the Finance Director in writing when an employee is eligible to advance to the next pay step. The Finance Department shall process the pay increase to be effective the second pay period after proper notification.

(Ord. 23-06, 171-10, 207-10, 134-11, 54-18, 1-20, 13-20, 205-20, 159-21, 212-22)

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

SEC. 1: That Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio shall be amended to read as follows pertaining to the Parks and Recreation Department:

PARKS AND RECREATION DEPARTMENT

<u>Number</u>	<u>Classification</u>	<u>Steps Authorized</u>
1	Parks Director/Superintendent of Parks, Cemetery & Forestry Director of Parks, Recreation, Cemetery and Forestry *	Pay Grade 114 (annual salary paid bi-weekly)
1	Parks Foreman	37 A-F
1	Parks Maintenance Technician	32 A-F per contract
1	City Arborist	9 A-F
1	Laborer	31 A-F per contract
1	Sexton	34 A-F per contract
1	Clerical Help	Sec. 31.02(B)(1)
1	Cemetery Laborer	31 A-F per contract
1	Turf Technician	per contract + 7%
	Part-time and Seasonal Employees	Sec. 31.02(A)(1)&(B)(1)

(Ord. 273-05, 7-06, 76-08, 81-09, 134-11, 27-13, 173-13, 32-14, 98-17, 48-18, 56-20, 98-21, 111-22, 215-22, **10-23**)

*The Director of Parks, Recreation, Cemetery and Forestry is a dual responsibility position covering both the Parks Department and Recreation Center.

SEC. 2: That Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio shall be amended to read as follows pertaining to the Recreation Center:

RECREATION CENTER

<u>Number</u>	<u>Classification</u>	<u>Steps Authorized</u>
1	Recreation Center Director	Pay Grade 112 (annual salary paid bi-weekly)
1	Director of Parks, Recreation, Cemetery and Forestry *	Pay Grade 114
1	Recreation Center Superintendent	15 A-F
1	Recreation Center Aquatics Manager	11 A-F
1	Recreation Center Program Manager	11 A-F
1	Recreation Center Office Administrator	10 A-F
1	Recreation Center Financial Assistant	9 A-F
1	Recreation Center Program Specialist	6 A-F
1	Recreation Center Facility Supervisor	9 A-F
	Part-time Employees*	Section 31.02(E)

* That the Recreation Center Director the Director of Parks, Recreation, Cemetery and Forestry

is responsible for notifying the Finance Director in writing when an employee is eligible to advance to the next pay step. The Finance Department shall process the pay increase to be effective the second pay period after proper notification. *The Director of Parks, Recreation, Cemetery and Forestry is a dual responsibility position covering both the Parks Department and Recreation Center. (Ord. 23-06, 171-10, 207-10, 134-11, 54-18, 1-20, 13-20, 205-20, 159-21, 212-22, **10-23**)

SEC. 3: That the new job descriptions of Director of Parks, Recreation, Cemetery and Forestry and Part-Time Office Assistant, marked Exhibits A & B and attached hereto, are hereby accepted.

SEC. 4: That the revised job descriptions of Recreation Center Superintendent and Office Administrator, marked Exhibits C & D and attached hereto, are hereby accepted.

SEC. 5: That all positions under the Parks and Recreation Department having REPORTS TO: Parks Director/Superintendent Parks, Cemetery and Forestry are hereby amended to read REPORTS TO: Director of Parks, Recreation, Cemetery and Forestry.

SEC. 6: That all positions under the Recreation Center having REPORTS TO: Recreation Center Director, are hereby amended to read REPORTS TO: Director of Parks, Recreation, Cemetery and Forestry / Rec Center Superintendent.

SEC. 7: **That the positions of Recreation Center Director and Recreation Center Finance Assistant are hereby abolished for the Recreation Center.**

SEC. 8: 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. 9: 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

PROPOSED

IV-60
Ord. 10-23
Exh. A

**THE CITY OF MEDINA
JOB DESCRIPTION**

TITLE: Director of Parks, Recreation, Cemetery and Forestry

REPORTS TO: Mayor

DEPARTMENT/DIVISION: Parks and Recreation

CIVIL SERVICES STATUS: Unclassified

JOB STATUS: Full-time

EXEMPT STATUS: Exempt

CLASSIFICATION FEATURES: As part of an evolving, fast-paced organization in a strong customer service environment, the individual in this classification is responsible for overseeing the operations for the Medina Community Recreation Center (MCRC) and responsible for park development and recommending future acquisitions and repairs to ensure that the necessary physical facilities are available for park and playground recreational needs. This employee administers a comprehensive City sports program involving local, independent associations for a variety of groups, ages and interest levels within the City. In addition, this employee is responsible for the efficient operation of the City's Cemetery and Forestry Department. This employee is appointed by the Mayor, confirmed by City Council and functions with wide latitude under the administrative direction of the Mayor.

ESSENTIAL JOB FUNCTIONS:

Serves as the main contact with Mayor and City Council regarding all matters relevant to the MCRC, Parks, Cemetery and Forestry.

Responsible for overseeing the maintenance, operation, and capital improvements for the MCRC, Parks, Cemetery, and Forestry Departments, including meeting with associated contractors to ensure completion and maintenance of planned improvements.

Develops methods to procure equipment and services for the MCRC, Parks, Cemetery and Forestry Departments.

Develops goals, objectives and operating plans for MCRC as a whole to ensure the successful attainment of the mission statement.

Represents City by working with Medina City Schools to implement policies and procedures including adherence and revisions to the Joint Operating Agreement of the MCRC.

Recommends the acquisition and directs the development of park amenities, including appropriate and functional structures and facilities to serve the widest recreational interests of the community.

Responsible for the operations management, maintenance of the Uptown Park, and coordination for preparing the set-up and clean-up of events held on the Square.

Administer a comprehensive maintenance, operations and capital improvement program to all public parks, trails, playgrounds, picnic shelters, athletic fields, swimming pool, splash pads, forestry and cemetery properties and buildings.

Approves all expenditures and introduces all Board of Control, Finance and Council Request for Action for the various departments.

Authorizes all refunds for memberships, programs, rentals, and all employee status forms.

Verifies payroll for all full-time, part-time, and seasonal employees.

Prepares and administers the Parks, Forestry, and Cemetery budgets.

Supervises and directs the work of all full-time, part-time and seasonal staff for the MCRC, Parks, Forestry and Cemetery Departments.

Conducts regular meetings with full-time staff of all departments to ensure effective communication and efficient operations.

Works directly with the City Arborist in planning, development, and implementation of various tree related projects.

Works directly with the engineering department regarding departmental projects, quotes, bids, specifications and project progress.

Works directly with City sports associations and Medina City Schools regarding field usage, scheduling, athletic field preparation, capital improvements, and meeting the requirements for facility use.

Works with the Civil Service Commission to ensure compliance with employee policies and procedures.

Interprets department programs through media releases, speeches to community groups and media appearances.

Interprets and enforces City and Department policies, procedures, rules and regulations.

Develops an athletic field maintenance schedule and application program.

Develops positive relationships with committees, boards and local organizations to promote the various departments.

Works with non-profit organizations on community projects

Maintains regular and consistent attendance.

Works closely with Service Director.

Responsible for overseeing the operation of the winter Senior Snow Plow Program and the Deer Management Plan.

Coordinates with the Mayor's office manager in many areas.

Performs or assists in more difficult or skilled tasks including training, demonstrations, in the absence of the Recreation Superintendent, Parks Foreman, City Arborist, or Cemetery Sexton, or in the event of an emergency.

Prepares or directs the preparation and compilation of reports and data as required.

Attends all meetings as required and reports on department progress and issues.

Able to perform the physical demands that include but are not limited to having the strength and agility to lift and maneuver heavy objects such as tools, supplies, equipment. Able to climb into or onto and operate vehicles and equipment; able to spend considerable time in a vehicle driving to job sites to check work progress. Have the strength and endurance to walk during long periods of time, along with the ability to spend time standing, bending, stooping, crawling, squatting, lifting, kneeling and reaching throughout the day.

EDUCATION, TRAINING AND EXPERIENCE:

High school diploma and possession of a bachelor's degree preferably in parks and recreation administration, wildlife management, forestry, resource management or recreation and a working knowledge of park management practices. Advanced degree may be applied toward experience requirement.

At least five years of increasingly responsible professional recreation experience, including work in a private, public or military recreational delivery system.

Considerable experience within a park and recreation setting, experience with both passive and active recreation preferred.

Supervisory experience, excellent communications skills and the ability to manage multiple priorities required.

Certifications:

Ohio Parks & Recreation Association, Member

International Society of Arboriculture, Certified Arborist

National Swimming Pool Foundation Certified Pool and Spa Operator preferred

CPR & First Aid

License:

Valid driver's license issued by the State of Ohio and must remain insurable by the City of Medina's vehicle insurance plan. A valid State of Ohio Commercial Driver's License (Class A) is preferred.

Within one year of date of hire, must possess Category 8, 6A, and CORE Commercial Applicators License as issued by the Ohio Department of Agriculture for the purchase and use of pesticides, and renew when necessary.

QUALIFICATIONS:**Knowledge of:**

- Principles and methods of park and playground planning, development, and maintenance;
- Considerable knowledge in Urban Forestry and Arboricultural operations;
- Municipal recreation programs, including the principles of programming for all patrons from children to senior adults;
- Facility management, fiscal control, planning and development, public relations and marketing;
- Public recreation and its application at a local level.

Skilled in:

- Reading and writing reports, correspondence and instructions;
- Personal computer use;
- Overseeing various department functions such as program development, marketing and budgeting;
- Customer service;
- Operating a motor vehicle; and
- Communicating effectively in writing or orally with co-workers, supervisors and the general public in person or over a telephone.

Ability to:

- Develop and maintain effective working relationships with subordinates and to promote and maintain high morale and enthusiasm;
- Supervise experienced and inexperienced employees and volunteers;
- Operate motor vehicles safely;
- Provide administrative and professional leadership and direction to Department personnel;
- Cooperate with and interpret recreation philosophies to City officials, public and private groups and agencies and the general public; and
- Understand and follow oral and written instructions.

ENVIRONMENTAL ELEMENTS:

This position requires the employee to spend part of each working day in the office and at recreation sites and facilities. The position includes a high incidence of interaction with fellow employees, sport associations and citizens.

WORKING CONDITIONS:

May be required to work outside normal business hours including weekends, evenings and holidays.

EQUIPMENT USED:

ADDITIONAL REQUIREMENTS: The above information on this description has been designed to indicate the general nature and level of work performed by employees within this classification. It is not designed to contain or be interpreted as a comprehensive inventory of all duties, responsibilities and qualifications required of employees assigned to this job. Employee understands that conditions may require the City to modify this Job Description and that the City reserves the right to exercise its discretion to make such changes.

EMPLOYEE ACKNOWLEDGMENT: _____

DATE: _____

TITLE: Rec Center Office Assistant
REPORTS TO: Superintendent
DEPARTMENT/DIVISION: Recreation
CIVIL SERVICES STATUS: Unclassified
JOB STATUS: Part-time
EXEMPT STATUS: Non-exempt

ORD 10-23
EKH B.

CLASSIFICATION FEATURES: Under the direction of the Superintendent, the Rec Center Office Assistant will be responsible for a variety of support functions including but not limited to receptionist, finance, front desk, rentals, community events and programs.

ESSENTIAL JOB FUNCTIONS:

- Answers, screens and forwards calls to the appropriate rec center staff.
- Answers general information inquiries concerning the rec center.
- Participates in training to obtain thorough knowledge of the membership software program.
- Assists with front desk operations, events and outdoor pool, as needed.
- Assists with Facility Monitor duties (opening/closing the building), as needed.
- Provides rental information, rules and guidelines to patrons, businesses and organizations.
- Assists with fiscal management procedures (ex: daily cash balancing) and other general financial tasks.
- Assists with payment plans, membership refunds and processing third party payments.
- Assists with new employee paperwork and processes.
- Performs clerical tasks as assigned.
- Attends all mandatory staff meetings and training sessions.
- Able to perform the physical demands including but are not limited to being able to sit continuously at a computer terminal, desk or work station along with being able to lift and move MCRC equipment and objects, and have the strength and agility to walk, stand, bend, stoop, crawl, squat, kneel and reach for long periods throughout the work day.

EDUCATION, TRAINING AND EXPERIENCE:

Considerable experience in performing clerical work of a progressively responsible nature.

High school diploma or GED required. Prefer graduation from a college or university with coursework in business administration, business practices, public administration, computer operations or any equivalent combination of experience and training that provides the required knowledge, skills and abilities.

Certifications:

First Aid

Cardiopulmonary Resuscitation/ AED

License:

Valid driver's license issued by the State of Ohio.

QUALIFICATIONS:**Knowledge of (not required at time of hire):**

- MCRC policies and procedures as they relate to patrons;
- Membership sales, programs and facility access;
- Rental booking prices and procedure;
- Rec center fiscal procedures;
- Membership software in regard to selling memberships and program registration;
- Fitness and wellness concepts;
- Facility policies; and
- Emergency procedures of the Medina Community Recreation Center.

Skilled in:

- Customer service;
- Handling sales transactions;
- Basic arithmetic; and
- Personal computer use and knowledge of Microsoft Office and

Ability to:

- Work independently with minimal instruction;
- Communicate effectively in writing or orally with co-workers, supervisors and the general public on the telephone or in person;
- Remain organized and maintain proper records;
- Understand and follow complex oral and written instructions;

- Maintain a balanced cash drawer;
- Work with others in a dynamic customer service oriented environment;
- Interact with the public in a professional, courteous and informative manner;
- Report to work on time and in the proper uniform; and
- Operate standard office equipment including but not limited to, personal computer, fax and copy machines, telephone and printers.

ENVIRONMENTAL ELEMENTS:

This position works indoors and outdoors in locations including but not limited to the rec center, City parks, Municipal pool, etc.

WORKING CONDITIONS:

This position is required to work outside normal business hours including early mornings, weekends, evenings, and holidays.

EQUIPMENT USED:

Computer, calculator, copier, fax machine and other office equipment.

ADDITIONAL REQUIREMENTS: The above information on this description has been designed to indicate the general nature and level of work performed by employees within this classification. It is not designed to contain or be interpreted as a comprehensive inventory of all duties, responsibilities and qualifications required of employees assigned to this job. Employee understands that conditions may require the City to modify this Job Description and that the City reserves the right to exercise its discretion to make such changes.

EMPLOYEE ACKNOWLEDGMENT: _____

DATE: _____

THE CITY OF MEDINA
JOB DESCRIPTION

IV-720
Ord. 10-23
Exh. C

TITLE: Recreation Center Superintendent

REPORTS TO: Director of Parks, Recreation, Cemetery and Forestry / Mayor

DEPARTMENT/DIVISION: Recreation

CIVIL SERVICES STATUS: Classified

JOB STATUS: Full-time

EXEMPT STATUS: Non-exempt

CLASSIFICATION FEATURES: As part of an evolving, fast-paced organization in a strong customer service environment, the individual in this classification is primarily responsible for overseeing the entire operations for the Medina Community Recreation Center (MCRC) including performing a variety of accounting, bookkeeping and payroll functions related to a municipal recreation department. The Recreation Center Superintendent functions with wide latitude under the administrative direction of the **Director of Recreation, Parks, Cemetery and Forestry.**

ESSENTIAL JOB FUNCTIONS:

Supervises and manages full-time, part-time, and seasonal staff for the MCRC and the Outdoor Pool.

Schedules full-time employees' office hours and Manager on Duty rotations.

Prepares and administers the budget for the MCRC for Department operations and administration. Including processing requisitions, invoices **and preparing bi-weekly payroll for all Recreation staff.**

Manages cash handling procedures, implements deposit reports, and processes payment plans. Provides Finance Department with daily reconciliations of internal financial reports.

Submits all necessary sales tax files, reports, and licenses to comply with state audit regulations.

Works with all managers to adhere to a fiscally responsible budget, including payroll management and purchasing decisions.

Prepare monthly reports and statistics for all areas, including expenditures, revenue projections and various forecasting, to submit to City Council, present to Rec Advisory Committee and any other committees as needed.

Researches new equipment purchases, updates for facility, and maintains facility equipment inventory.

Prepares a five-year plan for equipment replacement and capital improvements.

Works with Medina City Schools to implement policies, procedures and schedules as outlined by the Joint Operating Agreement.

Prepares Requests for Council Action, Finance Committee and Board of Control items, membership rate increases and other operational proposals.

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Maintains and audits membership software system accounting processes and prepares annual audit documents.

Maintain employee information and files as they relate to payroll procedures.

Process credit card reconciliations through payment processing software system.

Processes and submits requisitions and invoices for MCRC and reviews invoices generated by MCRC for various contracts and events.

Oversees development and maintenance of training materials and manuals, such as Standard Operating Procedures, Policy and Operation Manuals and Employee Handbooks and maintains Emergency Action Plan.

~~Acts as the public records custodian for MCRC.~~

Manages, negotiates, and reviews contracts for third party use of facility areas.

Reviews invoices generated for Medina Hospital for rental of facility areas throughout duration of contract agreement.

Develops goals, objectives and operating plans for MCRC as a whole to ensure the successful attainment of membership objectives, safety concerns, and program development for the community.

Works directly with the Parks Department to coordinate community programs and events.

Interprets and enforces City and Department policies, procedures, rules and regulations.

Prepares proposals designed to improve operations, increase efficiency and provide quality facilities, services and programs to the Medina community.

Coordinates all marketing of MCRC and associated programs and services.

Maintains regular and consistent attendance.

Attends seminars, conferences, and workshops to gain knowledge to upgrade department programs and day-to-day operations.

Assists fellow employees as required and works closely with staff members to carrying out Department goals.

Able to perform the physical demands that include but are not limited to having the strength and endurance to walk during long periods of time, along with the ability to spend time standing, bending, stooping, crawling, squatting, lifting, kneeling, reaching throughout the day, along with being able to sit continuously at a computer terminal, desk or work station as needed.

EDUCATION, TRAINING AND EXPERIENCE:

High school diploma or GED.

Bachelor's degree in accounting, finance, sports management, or recreation related field preferred. At least four (4) years of increasing responsibility in recreation experience required. Demonstrates increasing responsibility in management, professional accounting, or finance management.

License:

Valid driver's license issued by the State of Ohio and must remain insurable by the City of Medina's vehicle insurance plan.

Certification:

Cardiopulmonary Resuscitation/AED

First Aid

National Swimming Pool Foundation Certified Pool and Spa Operator preferred

~~Food Safety Certification by the Ohio Department of Health preferred~~

QUALIFICATIONS:**Knowledge of:**

- Computers, programs and software associated with accounting principles including VIP Analytics finance software, membership software, payment processing and time clock management software systems.
- Accounting principles and practices to accurately and efficiently maintain necessary records.
- Facility operations including front desk, aquatics, fitness, programs, child care, custodial and maintenance, and risk management as well as personnel supervision, policy and program development;
- Municipal recreation programs, including the principles of programming for all patrons from children to senior adults;

Skilled in:

- Finance, organization and interpersonal communication.
- Overseeing various department functions such as program development, marketing, budgeting and customer service.

Ability to:

- Communicate effectively in writing or orally with co-workers, supervisors and the general public in person or over a telephone;
- Compile and evaluate complex financial data and prepare related reports;
- Provide administrative and professional leadership and direction to Department personnel;
- Understand and follow complex oral and written instructions;
- Read and write reports, correspondence and instructions;
- Operate motor vehicles; and
- Operate standard office equipment including but not limited to, personal computer, fax and copy machines, telephone and printers.

ENVIRONMENTAL ELEMENTS:

This position requires the employee to spend part of each working day in the office and throughout MCRC. The position includes a high incidence of interaction with fellow employees and patrons.

WORKING CONDITIONS:

May be required to work outside normal business hours including weekends, evenings and holidays.

EQUIPMENT USED: computer, time clock, fax and copy machines, telephone, printers, radio, building alarms, and surveillance systems.

ADDITIONAL REQUIREMENTS: The above information on this description has been designed to indicate the general nature and level of work performed by employees within this classification. It is not designed to contain or be interpreted as a comprehensive inventory of all duties, responsibilities and qualifications required of employees assigned to this job. Employee understands that conditions may require the City to modify this Job Description and that the City reserves the right to exercise its discretion to make such changes.

EMPLOYEE ACKNOWLEDGMENT: _____

DATE: _____

THE CITY OF MEDINA
JOB DESCRIPTION

IV-785

Ord. 10-23
Exh. D

TITLE: Office Administrator

REPORTS TO: Director of Parks, Recreation, Cemetery and Forestry/ Rec Center—Director Superintendent

DEPARTMENT/DIVISION: Recreation

CIVIL SERVICES STATUS: Classified

JOB STATUS: Full-time

EXEMPT STATUS: Non-exempt

CLASSIFICATION FEATURES: As part of an evolving, fast-paced organization in a strong customer service environment, the individual in this classification is primarily responsible for ~~front desk operations~~ **marketing, community relations, membership retention** and office management, including direct supervision of ~~clerical and marketing~~ personnel. The individual in this classification must demonstrate a continuous effort to improve ~~front desk facility~~ operations and work cooperatively and jointly to provide quality customer service. The individual in this position is under the general supervision of the ~~Center Director~~ **Superintendent**

ESSENTIAL JOB FUNCTIONS:

~~Manages part time guest services staffing, which includes hiring, training, scheduling, supervising and evaluating front desk staff and main office support staff.~~

~~Oversees and manages all front desk operations including, but not limited to, Assists with membership sales, daily pass sales, program registration, check-in procedures, Rascal Room appointment log, rental inquires, facility bookings, and comment and suggestion reports.~~

Oversees Marketing Coordinator and develops annual plan, budget and timelines for advertising.

Responsible for all website and social media updates.

Reviews, approves and invoices facility rental requests including appropriate facility use and staffing coverage.

Assists with finance and payroll duties in absence of Superintendent, including daily cash balancing and deposits.

Coordinates and implements community wide wellness programming and serves as main contact for partnership contracts and budgets.

Oversees and promotes corporate membership sales and sales to community businesses.

Coordinates and implements membership renewal plans and monthly renewal email reminders, as well as develops automated renewals for any memberships that qualify.

~~Oversees maintenance~~ **Assists with** all guest service databases, including call logs and patron comment and suggestion reports.

Oversees maintenance of **public** records and personnel files for all Medina Community Recreation Center (MCRC) employees **and is public records custodian for MCRC.**

Oversees maintenance of drug test screening for all potential employees of the MCRC. ~~and the Parks and Recreation Departments.~~

~~Prepares and manages staffing budget for front desk and office personnel.~~

Assists the ~~Center Director~~ **Superintendent** with budget preparation and implementation of areas of responsibility.

Prepares monthly reports and statistics for facility access and memberships including budget updates and revenue projections.

~~Prepares, reviews and manages guest services, budget and bi-weekly staffing payroll.~~

Interprets and enforces City and Department policies, procedures, rules and regulations.

Reports details of day-to-day ~~front desk operations marketing and areas of responsibility to Center Director.~~ **Superintendent**

~~Performs maintenance~~ Serves as **Site Administrator or IT liaison** of MCRC computers, server, networks, **timeclock** and **CLASS membership** software and troubleshoots computer and application problems and upgrades.

Purchases and maintains inventory for ~~front desk sales.~~ **office supplies, copiers and paper.**

Maintains regular and consistent attendance.

Assists with developing and preparing various forms to use for **front desk facility** operations.

Assists fellow employees as required and works closely with fellow staff members and the community in carrying out department goals.

Attends seminars, conferences and workshops to gain knowledge to further upgrade Department programs and day-to-day operations.

Able to perform the physical demands that include but are not limited to having the strength and endurance to walk during long periods of time, along with the ability to spend time standing, bending, stooping, crawling, squatting, lifting, kneeling, reaching throughout the day.

EDUCATION, TRAINING AND EXPERIENCE:

High school diploma with at least three (3) to five (5) years of increasing responsibility in secretarial or office administration experience preferably in a recreation environment. Experience may include work in private, public or military recreation delivery system. Degree may be applied toward the experience requirement.

License:

Valid driver's license issued by the State of Ohio **and must remain insurable under the City of Medina's vehicle insurance plan.**

Certification:

Cardiopulmonary Resuscitation/ AED
First Aid

QUALIFICATIONS:**Skilled in:**

- ~~Personal computer use;~~ **Computers, programs and membership software, including but not limited to Microsoft Office, Excel, and Word.**
- Guest services and customer relations;
- Personnel supervision, planning and organization;
- Public relations and marketing; and
- Administrative, organizational and internal and external communication skills.

Ability to:

- Communicate effectively in writing or orally with co-workers, supervisors and the general public in person or over a telephone or radio;
- Understand and follow complex oral and written instructions;
- Read and write reports, correspondence and instructions;
- Operate motor vehicles safely;
- Learn **CLASS** Membership Software computerized system;
- Develop and maintain effective working relations with colleagues and the community;
- Provide administrative and professional leadership and direction to Department personnel; and
- Operate standard office equipment including but not limited to, personal computer, fax and copy machines, telephone and printers.

ENVIRONMENTAL ELEMENTS:

This position requires the employee to spend part of each working day in the office and throughout the Recreation Center **and Medina City Parks**. The position includes a high incidence of interaction with fellow employees and patrons.

WORKING CONDITIONS:

May be required to work outside normal business hours including weekends, evenings and holidays.

EQUIPMENT USED:

ADDITIONAL REQUIREMENTS: The above information on this description has been designed to indicate the general nature and level of work performed by employees within this classification. It is not designed to contain or be interpreted as a comprehensive inventory of all duties, responsibilities and qualifications required of employees assigned to this job. Employee understands that conditions may require the City to modify this Job Description and that the City reserves the right to exercise its discretion to make such changes.

EMPLOYEE ACKNOWLEDGMENT: _____

DATE: _____

ORDINANCE NO. 11-23

AN ORDINANCE AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$45,000.00 TO BAKER DUBLIKAR WILEY & MATHEWS FOR LEGAL SERVICES FOR THE LAW DEPARTMENT.

WHEREAS: This Ordinance will provide for the efficient and lawful certifications to provide Municipal Services; and

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

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

SEC. 2: That the expenditure of not to exceed \$45,000.00 is hereby authorized to Baker Dublikar Wiley & Mathews for legal services for the Law Department.

SEC. 3: That the funds to cover this expenditure are available in Account No. 001-0704-52225.

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

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

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 12-23

AN ORDINANCE AMENDING ORDINANCE NO. 168-22, PASSED SEPTEMBER 12, 2022, RELATIVE TO THE EXPENDITURE TO C & J NOBLE CONSTRUCTION FOR REHABILITATION WORK AT 172 NORMANDY DR., BRUNSWICK, AND DECLARING AN EMERGENCY.

WHEREAS: Ordinance No. 168-22, passed September 12, 2022, authorized the expenditure of \$72,000.00 for rehabilitation work at 172 Normandy Drive, Brunswick, as part of the PY20 CHIP Grant; and

WHEREAS: A change order was approved subsequent to the passage of Ordinance No. 168-22 increasing the contract amount to \$76,000.00.

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

SEC. 1: That the contract amount authorized in Ordinance No. 168-22, passed September 12, 2022, to C & J Noble Construction is hereby amended from \$72,000.00 to \$76,000.00 for the rehabilitation work at 172 Normandy Drive, Brunswick.

SEC. 2: That the funds to cover the increase, in the amount of \$4,000.00 are available in Account No. 139-0460-52215.

SEC. 3: That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director’s certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.

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

SEC. 5: That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that all payments for this grant must be completed before December 31, 2010; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 13-23

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

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

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

<u>Account No./Line Item</u>	<u>Additions</u>
688-0714-50111	54,885.00 *
688-0714-50112	4,200.00 *
688-0714-50114	2,440.00 *
688-0714-50115	3,659.00 *
688-0714-50116	2,440.00 *
688-0714-51121	9,468.00 *
688-0714-51123	2,029.00 *
688-0714-51126	981.00 *
688-0714-52211	2,500.00 *
688-0714-52212	1,500.00 *
688-0714-52213	1,500.00 *
688-0714-52215	25,000.00 *
688-0714-53311	1,500.00 *
688-0714-53313	2,500.00 *
688-0714-53315	15,000.00 *
688-0714-53321	90,000.00 *
688-0714-56616	75,000.00 *
574-0350-52224	8,000.00
574-0350-52224	29,863.00
574-0350-52224	11,000.00
107-0110-53315	1,000.00 *
574-0357-53313	250.00 *

SEC. 2: That Ordinance No. 221-22, passed December 12, 2022, shall be amended by the following reductions:

<u>Account No./Line Item</u>	<u>Reductions</u>
688-0714-51122	25,556.00 *
574-0350-52226	8,000.00
574-0350-54412	29,863.00
574-0350-53315	11,000.00

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
Ord. 13-23

with the law.

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

* - new appropriation

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor