

Finance Committee
Monday, March 25th, 2019
5:30 p.m., Multi-Purpose Room

In attendance: Jim Shields, Chairman Pro-Tem, Paul Rose, Bill Lamb, Eric Heffinger, Bob Starcher and Dennie Simpson. John Coyne was absent.

Also present: Mayor Hanwell, Greg Huber, Keith Dirham, Patrick Patton, Nino Piccoli, Jansen Wehrley, Jonathan Mendel, Kimberly Marshall, Dan Gladish, Chief Kinney, Chief Painter, Barb Dzur, Sean O'Donnell, Tom Jenkins, Hub Marquis (SPCA), Charles Marshall, Michelle Powell, Beth Biggins-Ramer, Suzanne Sharpe, Ron Ross, Bob Finnan and Kevin McManus.

1. Assignment of Requests for Council Action

2. Discussion – Suzanne Sharpe – Update on Peter Huntington House

Suzanne Sharpe stated this presentation is about 347 North Huntington St., the Sophia Huntington Parker Farm House and preserving it. She thanked everyone for their support of this project.

Suzanne spoke of the former owner and the house. Sophia not only dedicated her money and her land to the old lady's home which became the Pythian Sisters Home which was torn down in 2017. She also asked that if that home wasn't built or if the land was not utilized she wanted her farm house to become an outing home for poor children from crowded cities in Cleveland. She wanted to make this place permanent and to never have her real estate ever be sold. Found an Ohio Historic inventory form which is filed with the State of Ohio done in 2004 and that would define this home as a Historic resource. Suzanne states that structurally this house is sound. Suzanne would like everyone to consider a new concept with an open mind. They already have 3 verbal pledges for a total support of \$40,000 for restoration and preservation of the farm house. Her suggestion would be to meet in the middle and do something where you all get your parking spaces and we also have a community center and history museum for the city. This would not have the city own any part of the house, we would suggest dividing a parcel. A non-profit would be running and owning the property. She states she has been told it's not good for a city to have a flag parcel but with a park it's ok. This is a wonderful Green Thing to do. There are grants like the bricks and mortar project grant through Ohio History Fund and we can have a 40% match by the end of summer.

Mr. Shields stated that he doesn't know if anybody else from administration wants to comment tonight since they have 13 other items on the agenda for tonight and did not realize this was to be a power point and a different proposal brought forward tonight. Suzanne stated that is fine, she just wanted to get the information out there.

Mayor Hanwell stated just from a legal perspective, they can't just give land of the city to a particular group or organization or even sell it, it would have to go on the market for everybody that wants an opportunity for it.

Mr. Simpson stated he missed the last conversation because he was out of town, but the conversation that he had was that Suzanne wanted time to find funds to move the house, is that off the table? Ms. Sharpe replied no, it's not all that much money to move it, it's the issue of once they move it all the good things they want to do to the house are not applicable if they move it to

the other location.

Power Point presented attached to minutes.

3. 18-200-11/13 – Discussion of Potential Railroad Quiet Zones

Mr. Patton stated last time council spoke about this they asked him to put together some information about the possibility of establishing a quiet zone in the city. It's a long process but in essence, we have to install another safety measure. Something in addition to crossing gates and the three possibilities are delineators to prevent cars from going around the gate, basically a hundred foot in either direction/approach in centerline. The second would be a raised concrete median/curb structure that would straddle the centerline. The last option and most expensive one is a four quadrant gate system. Pat mentioned there are no State or Federal funds available for any type of quiet zone establishment. There are two railroads in the city, one is ours and the other is Wheeling & Lake Erie. We focused only on Wheeling & Lake Erie railroad, they have ten crossings in the system in the city. A quiet zone has to be a minimum of ½ mile in length.

Patrick looked at smaller sections to be less expensive, in particular, Prospect to Broadway is about that ½ mile needed and covers 7 crossings. Mr. Patton also stated that there is a process we would have to go through if we decide we wanted a quiet zone. We don't have the authority to establish it.

Mr. Lamb asked if we could submit our options now and see if it would be approved with no money at this point.

Mr. Patton stated they would do a diagnostic review of each of the crossings, and there is a scoring/rating system that they use, and based on that it establishes what type of safety measure is acceptable. No money needed at that point. Mr. Lamb states the sooner we make a decision the better for the project.

Mr. Shields asked if we would be able to combine a couple different options at different crossings like curb at one and something else at another crossing. Patrick stated yes because each crossing is evaluated individually.

Mayor Hanwell stated Charles Marshall is in attendance and he is the developer for the Farmer's Exchange, and asked the city to do some of the review on this for the benefit of the apartments he is going to rent at the Farmer's Exchange.

Mayor Hanwell mentioned Mr. Huber cautions the council right now with leaving it the way it is. The trains have to use the signal, and if there is a collision between a motor vehicle or a pedestrian and the train, the liability is with the railroad company, if the city permits a quiet zone some of that or possibly all of that liability shifts from the railroad to the City of Medina which is of some concern.

Mr. Simpson mentioned that since the lights and the gates have been up that we've had any car/train accidents. There has been one train/pedestrian interaction but it was intentional. Dennie feels if we are able to establish the quiet zone there would be a lot of happy residents. We do need to consider the city's liability and look at the different areas where we could use the quiet zones, which areas are less or more expensive.

Mr. Heffinger stated they are looking at developing South Huntington/South Elmwood and West Smith area and feels this might help us in the long run when developing businesses or apartment complexes.

Mr. Starcher brought up the fact that street maintenance will be a concern for the Streets Department with plowing and other issues.

Mr. Marshall complemented Mr. Patton on one of the best reports he has read in a long time. If the FRA has to make the final decision, Mr. Lamb touched on the point that we can apply for a quiet zone and what we'd like to put in or what you'd like to put in and get their determination for any money spent. Under the legal implications today's world is a liability world everywhere. Everyone has a reason not to do something because of liability. In the report Mr. Marshall stated it says that the FRA rules is infinite to remove failure to sound the horn. The rules from the Federal Government are designed and intended to remove the failure to sound the horn as a cause of action to law suits, so you have the backing of Federal Government in the wording. Mr. Marshall stated he has dealt with the railroad in the development of this site. Mr. Marshall last year pledged \$50,000.00 as a private developer not for just his development but for the benefit of the city. He realizes that there may be some maintenance for the Streets Department but that's development with changes in roadways and turn lanes and everything else like the upright plastic little dills that will need replaced. Mr. Marshall feels the city should find out what the cost is and what is going to be approved and take advantage of money that someone is trying to partner with you that will benefit not just him but the city as much if not more for future development along the rail side. He is adamant with time lines. It would be important to him to get this moving forward at a faster pace. This fall they plan to open up the first floor and the apartments by October of this year. Verbally he has told people that the city is looking into it. The train conductor has the capability of seeing ahead and watching what is coming up. He has a right to override this no blow zone anytime he feels that there is a factor affecting and he needs to warn somebody.

Mr. Huber stated that dealing with the railroad is not easy. If we create a quiet zone we take away from the railroad its primary defense in a road railroad accident scenario and that is the horn. If we don't put in the "Gold Standard" at a crossing and an accident happens the railroads absolutely are going to come to the city and bring us into a lawsuit and claim that because we altered and took away their primary defense, that's a factor in the overall analysis of negligence as to why that happened. What his concerns are is the discussion of the expense and not wanting to spend the money to put in the very best that needs to be put in. He has been in 3 cases involving railroad litigation and every one of them has involved monies in the areas of a million to two million dollars. Most lawyers representing a municipality would advise to put in the very best and then make sure you have a proper maintenance program.

Mr. Simpson motioned to encourage the administration to make the application for the Quiet Zone to the railroad, seconded by Mr. Rose. Motion passes 6-0.

4. Approval of MCRC Sponsorship

Mayor Hanwell spoke of the add banner for the field house that will be placed between the two score boards. The brochure change for this was approved by Finance on 1/28/19 the ad was already recommended by the Rec Advisory Committee on 3/21/19 and is planned for the schools to approve in April. Mr. Simpson moved to approve, seconded by Mr. Rose. Motion Passes 6-0.

5. 19-053-3/25 – Fund Transfer Request – Parking Fund

Mr. Dirham stated the Parking Fund does not make sufficient revenue to cover its operations so \$60,000 a year is budgeted and then asked for transfers as needed and it's needed. Mr. Simpson moved to approve, seconded by Mr. Rose. Motion Passes 6-0.

6. 19-054-3/25 – Fund Transfer Request – MCRC Capital Contribution

Mr. Dirham stated this is per the agreement they have with the school for the Joint Operating Agreement for the Rec Center. We each contribute \$100,000 per year to our own fund per capital. Mr. Simpson motioned to approve, seconded by Mr. Rose. Motion Passes 6-0.

7. 19-055-3/25 – Then & Now – M&L Supply – Fire Dept.

Mr. Dirham stated the problem was this was a grant project and the purchase order that they requested in advance of it was before the city's share but the city has to write a check for the whole amount. Mr. Simpson motioned to approve with the emergency clause, seconded by Mr. Rose. Motion Passes 6-0.

8. 19-056-3/25 – Then & Now – CompManagement – Finance Dept.

Mr. Dirham stated the next two got invoiced before we got a purchase order but it will be cleaner for our auditors to have a Then & Now approval. . Mr. Simpson motioned to approve with the emergency clause, seconded by Mr. Rose. Motion Passes 6-0.

9. 19-057-3/25 – Then & Now – Medina County Economic Development Corp.

Mr. Dirham stated this is an annual membership. Mr. Simpson motioned to approve with the emergency clause, seconded by Mr. Rose. Motion Passes 6-0.

10. 19-058-3/25 – SPCA 2019 Annual Funding Request

Mr. Rose stated he and Mr. Marquis and Mr. Jenkins sat down and reviewed the things that they've done in the past year to keep their costs down, the number of animals that have been taken care of from the city and they have gone far and above what they need to do to keep things moving. They do fundraisers and find other sources of funding besides the city and it is because they do perform a service for the community Paul recommends that we up our contribution to them from \$8,670 to \$8,850 it is a rounded up 2% that they have given to other people and in the past. Mr. Jenkins stated that they certainly appreciate the support from the city, they work hard to take care of the animals and took in 318 originating in the city's jurisdiction. Mr. Shields reminded the public that the City of Medina doesn't have an Animal Control Department or a Dog Warden and really appreciated the work that the SPCA does for the city and the residents and animals.

Mayor Hanwell stated without the SPCA we would have to be contracting with either an animal control or hiring staff with benefits and wages. The benefit the City is getting for the amount of money is well worth it and he totally supports it. All council is in favor. Simpson motioned to approve, seconded by Mr. Rose. Motion Passes 6-0.

11. 19-059-3/25 – Bids, 2019 Concrete Street Repair

Mr. Patton stated this is their annual project for street repair throughout the town, asking for a total of \$400,000. \$375,000 from the Street Fund and \$25,000 from the Water Department to take care of streets that were damaged during water breaks. Simpson motioned to approve, seconded by Mr. Rose. Motion Passes 6-0.

12. 19-060-3/25 – Bids, 2019 Concrete Curb Installation Program – E. Liberty Street

Mr. Patton stated this is established that they like to do these regular projects of installing curbs and this one is on East Liberty Street. Starting on Broadway and extending east to Spring Grove. Mr. Lamb stated this program improves the visibility for those homes but also the safety. Simpson motioned to approve, seconded by Mr. Rose. Motion Passes 6-0.

13. 19-061-3/25 – Expenditure Over \$15,000 – Davis Tree Farm

Jansen stated this is to increase their blanket purchase order they have for spring and fall tree planting. Hoping to plant 110 trees this spring. Mr. Shields stated some of this is still replacing some of the trees that were removed due to the Emerald Ash Borer. Jansen stated this also will include the trees for the North Court median project. Simpson motioned to approve, seconded by Mr. Rose. Motion Passes 6-0.

14. 19-062-3/25 – Cooperative Purchase, Sodium Chloride for 2019-2020 Winter

Mr. Piccoli stated he just received this option for a contract on March 19th and the turnaround time is short and that is why emergency is needed. Same type of contract they have had for years. Mr. Simpson motioned to approve with the emergency clause, seconded by Mr. Rose. Motion Passes 6-0.

15. 19-063-3/25 – Amend cod. Ord. 945.02(g) – Park Restrictions

Jansen stated this request came about a couple of months ago. There are a number of park users essentially walking their dogs without having control of them on leash. There have been a couple instances where there has been some conflicts because of dogs at large. He reviewed the ordinance and as it is currently written and our ordinance does not permit a dog to go unleashed in any area unless they are under the reasonable control of a person. Which is a little problematic in a park setting because it is hard to control your dog in those type of environments where there are wild animals or kids playing soccer. This doesn't align with Section 505.1 which is dogs and other animals running at large. Most cities that have a dog park have an eight foot leash law and leash must be held in hand so the dog can't walk itself unless you are inside the fence of a dog park. Jansen stated they do have signage in the parks already that say dogs must be leashed in the parks. They would like to clean up the language in the ordinance and then improve the signage. Simpson motioned to approve, seconded by Mr. Rose. Motion Passes 6-0.

16. 19-064-3/25 – Expenditure – Signal Service – Street Dept.

Mr. Piccoli stated there was a master cabinet destroyed and taken off its base by an unknown vehicle causing \$11,332 for emergency repairs and then the master cabinet to be replaced will be an additional \$29,000. Total is \$33,882.00 and this isn't the first time the city got stuck paying for these cabinets. They are pursuing talking to the insurance company to submit this as long as it doesn't change the premiums the city is paying. They are up to \$75,000 in repairs within the last two years. Mr. Simpson motioned to approve with the emergency clause, seconded by Mr. Rose. Motion Passes 6-0.

There being no further business the Finance Committee meeting adjourned at 7:13 p.m.

Jim Shields, Chairman Pro-Tem