

Finance Committee
Monday, April 13, 2020
6:00 p.m., Rotunda and Remote

In attendance: J. Coyne - Chairman, E. Heffinger, P. Rose, and J. Shields. B. Lamb, D. Simpson and J. Hazeltine

Also present: Mayor Hanwell, Greg Huber, Keith Dirham, Patrick Patton, Nino Piccoli, Jonathan Mendel, Kathy Patton, Kimberly Marshall, and Chief Kinney.

1. Assignment of Requests for Council Action

2. 20-077-4/13 – Budget Amendments

Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

3. 20-078-4/13 – Consider How to Handle Disconnects, etc. after Ord. 62-20 expires

Mr. Simpson stated he feels we should wave penalties and set up payment plans to help get them caught up and Jess Hazeltine agreed.

Mr. Coyne stated when we do a repayment program it has to be either a shorter of a period of months or when they move out of the house, because what if they move during that payment plan, we just can't forgive them because they moved, so we have to come up with a plan of how to address all the issues that will arise while also keeping track of all the penalties at this point and let them accrue.

Mr. Rose said he knows there are people on the shut off list that if it weren't for the pandemic they wouldn't be on the list, then there are frequent flyers and we need to treat them a little differently when we all come out of this so when we are setting up the payment plan and looking at the penalties just to make sure there aren't some who are taking advantage of us and the current situation. Those who are the exceptions we need to treat them as such.

Mrs. Hazeltine asked that when we work out the payment plans is that something the Water and Utilities committee to work on, or work on as a council and what do you want the BOC's role to be in this?

Mr. Coyne stated that will depend on when we can get together and are able to have meetings. Since this ordinance goes through the month of June, in May we should be able to have meetings again and we should have a good idea for more input from the various residents that are on the Utility Rate Review Committee or Water Committee and that should give us a better chance to get an informed decision.

Mayor Hanwell stated if each of council member wants to send Keith and him their recommendations they can see how many of those they can do their best to incorporate. He respectfully wants council to be cautious of saying that we will wave all penalties until they have a chance to review it and evaluate. Obviously all of us want to wave penalties that are related to the Covid, it has to be equally applied and sometimes that is difficult especially when you are

looking at a history of someone who is shut off numerous times a year verses because of this pandemic. He feels in a month or so once they receive council's suggestions, they can start putting together more of a plan a program and hopefully ready by April 27th or May's first meeting to discuss it, and once they have a plan or start of one and recommendations for BOC, then he would defer to council to determine whether we assign it to Water and Utilities to see it through, or bring it back to Finance.

Mr. Coyne suggests once we go back and start taking shut offs in stride after we reopen people are not only going to have to be current on the current monthly bills but also be current on their payment plan, otherwise they are going to fall back into the category of being delinquent again. Mr. Dirham explained that in the past they have offered payment plans where they were authorized as a group by council, and the most recent example was when Prospect Street had a new waterline put in, they offered those residents that if they had an old waterline from the city line into their house, which is their responsibility, we would put those in while we were doing the line and we gave them a payment plan. The way we did that to take in to account a couple things that were mentioned here is first of all it was so much a month and it was added into their monthly bill and the regular penalties applied if they didn't pay it. Additionally if anyone moved, if the account went final, the entire amount whatever was left became due unpayable. If anybody final out of their account, that whole amount is going to have to be paid before the transfer because title companies do check with us for those amounts.

Mr. Coyne suggested councilwoman Hazeltine can look this over and try to schedule something in May with Water and Utilities and if any council person has any ideas send it to Mrs. Hazeltine, the Mayor and Keith.

4. 20-079-4/13 – Bids, 2020-2021 Equipment & General Pavement Services

Mr. Piccoli stated this is his annual bid specifically for asphalt. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

5. 20-080-4/13 – General Liability Insurance Renewal – Argonaut Insurance Co.

Mayor Hanwell stated this is their annual renewal policy, the city did not have an adequate notice of this and needs the emergency clause to take from Finance to Council tonight. The city has seen a 34% increase mostly due to market. Mr. Shields moved to approve with the emergency clause, seconded by Mr. Simpson. Motion passed 7-0.

6. 20-081-4/13 – Grant Application – 2020 Remote Technology Grant – Municipal Court

Keith stated they received a check today from the Ohio Supreme Court. This is to approve the grant. Cindy from the Municipal Court stated that the grant they were awarded was over \$28,000.00. Out of that they want to use \$22,000.00 for the OCSS part of the probation data to help do kiosks for self-reporting on low offending probationers. The remaining \$7,000.00 they would like to use for laptops for their probation officers. Mr. Coyne stated there is supposed to be a request to spend the funds a purchase order, did you put one of those together yet? Cindy stated no and that she will do that. Mr. Coyne stated that they can probably still approve this subject to a purchase order. Mr. Dirham stated you can go ahead and approve the acceptance of the grant now and then the purchase order will be separate, it won't need to go to council just the finance committee. Cindy stated they just received the money today and it expires November 30th. They have OCSS quote only good until the end of May and want to move on this as soon as possible. Mr. Shields moved to accept the technology grant from the Ohio Supreme Court for the Medina Municipal Court with the emergency clause, seconded by Mr. Simpson. Motion

passed 7-0

7. 20-082-4/13 – Agreement w/Cunningham & Assoc. – Spring Grove/N. Broadway Bridge

Mr. Patton stated last year they applied for this and were successful for the replacement of these two bridges. After going through a qualification base selection process required by the state. Their recommendation is Cunningham & Associates to be the design consultants for these two projects. Grant is paying up to 64%, the cost of the project to a maximum of \$477,979.00. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

8. 20-083-4/13 – Task Order #4 – Delta Airport Consultants – Remark Airfield

Mr. Patton stated this is a grant. The state is paying 95% of the cost of this. \$25,000.00 task order is for Delta to do the construction administration for the project. Our share is \$1,250.00. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

9. 20-084-4/13 – Collecting Bargaining Agreement between Ohio Patrolmen’s Benevolent Assoc. for Patrol Officers, Sergeants and Communication Officers

Mr. Shields moved to approve the OPBA Contract for the Patrol Officers with the emergency clause, seconded by Mr. Simpson. Motion passed 7-0. Mr. Shields moved to approve the OPBA Contract for the Sergeants with the emergency clause, seconded by Mr. Rose. Motion passed 6-1. Mr. Simpson abstained. Mr. Shields moved to approve the OPBA Contract for the Communication officers with the emergency clause, seconded by Mr. Simpson. Motion passed 7-0.

10. 20-085-4/13 – Pandemic Relief for Seniors and At Risk City Residents

Mrs. Hazeltine stated that Love Dash is an organization and the reason she chose them to try to allocate funds is because they seem to have this really great system set up where they have an app and have a no contact delivery service. She is more excited that she suggested this organization to be a recipient of some funds from the general fund. They also are working with Mark Williams of Williams on the Lake in providing meals and Love Dash is the organization delivering those meals, Cups Café is also utilizing the Love Dash service. This service is helping people that have been identified as at risk by our State Health Director. This would be for Medina City residents. Jess suggested Heartland main Church be the keeper of the funds or designate it to the offshoot Heartland church that is located inside Williams on the Lake. Point being, she wants to fund this initiative because it is providing work for people out of work currently by paying them to be these drivers and a majority of the volunteers are senior citizens because they have the time and want to give back but they don’t need to be out and about during this pandemic so if we can replace those volunteers with people that are displaced workers and give them a wage of \$10 an hour by funding this initiative. Using it towards food if that is necessary.

Dennie stated he appreciates all the work Jess has done and knows that Heartland Community Church does a great job, but he is having a hard time with the separation of church and state, if we could come up with another avenue to deal with who would be in charge of the funding. This would be a good program and feels like there are a lot of people in our community that needs the help.

Mr. Huber stated there are a couple of constitutional issues with a request like this, under Section 4, Article 8 of the Ohio Constitution there is a prohibition from spending public money for a private enterprise and the church would constitute a private enterprise. The second issue is that we can’t violate the prohibition against the establishment of religion so we would have to

create a firewall in this program to ensure that city money is not used for religious purposes. There are a couple ways to do that, probably through a grant agreement there is an exception to giving public money to private enterprise that can be applied where we establish that this city money is significantly benefitting Medina City citizens and we have to establish a way of proving that because once we do something like this we are subject to an audit. The difficult problem with city government is it is not particularly set up for social services which what this is. They would have to be Medina City residents and everyone would have to be treated equally in terms of how we set this up, how do we establish who are the displaced workers that get paid, how do you withstand an audit, who gets hired and who doesn't. We have to establish a criteria for saying this person is given the money and this person isn't which is something we could do but it is problematic and essentially everything would have to be in writing and the church would have to keep records to establish how they are handling this program. There are some legal issues with this we would have to handle this through a grant agreement. The church would have to provide additional details and have a basis for establishing what they did in case an audit occurs or we draw a tax payer lawsuit for how we are handling this money and show most primarily how this city money is benefitting Medina City citizens.

Mr. Coyne asked if there was another avenue outside the church and is this even possible.

Mrs. Hazeltine stated after listening to Mr. Huber, she doesn't see where this is a problem it just requires some work and a little elbow grease. Jess stated they need to come up with a contract that covers all of our basis that protects the city, and keeping track of all paperwork and feels it's not that difficult.

Mr. Rose stated when it comes to the SPCA and the Older Adults those were quantifiable services that were given to the city or city residents. Paul feels we should tread lightly here in this particular case as far as giving city money goes. He is willing to open his own personal check book to donate instead and to leave city money as we originally intended to help those businesses and other organizations that are in an emergency need. It doesn't sound like this is an emergency need for this group. There are a lot of faith based organizations and people who readily give their time and personal resources to keep their organizations going. He would ask that all council members and everyone listening to open their personal checkbooks and leave the city monies to true emergencies.

Mr. Lamb does feel this is an immediate emergency, maybe it's not exactly quantifiable like about how many dead animals did you pick up off the street or how many underfed dogs did you save, or how many meals did you serve to seniors at the senior center but he feels the idea is of serious importance to people that are homebound and alone or high risk to leave. There needs to be more volunteers engaged in the service of food delivery. Unemployment doesn't come close to what people actually make and this would be a good supplement and same time it's a life giving service to the needy. Bill asked if churches were non-profits and Mr. Huber stated they fall within a definition of private enterprises and we would have to draft a carefully written agreement and establish the benefit is primarily to Medina City residents.

John stated that Keith mentioned 170 residents that are on shutoff notice and that is a good list to help determine who in the city of medina is in great need.

Jess asked if we just leave it up to the staff of the city to determine these people or would it be more beneficial to leave the determination of who is in need up to Heartland or whatever

organization we go with, and maybe just as we task the SPCA with identifying where the problems are we task Heartland or whatever organization with identifying those people in need. Jess explained a little about the process and how it is just like a curbside pickup except this is specifically designed for the at risk people during the Covid-19 pandemic. They are already paying for their groceries, the funds would not be used for groceries it would be used to pay someone to deliver them.

Mr. Simpson brought up the fact that getting that extra \$10 per hour for someone on unemployment would drastically affect their unemployment status.

Mr. Lamb asked in order to make this successful to maybe take a step back and look for more ways to rework this taking in consideration what the law director gave us and what everyone else has offered and see if we can put this together in a cleaner package to address the concerns. Keith stated for people who are looking to volunteer to do something like this, the Kiwanis Club has worked with the Office of Older Adults and he has done this where they pick up the groceries that the people at risk want, when we get to the checkout Buehler's calls them so they can pay over the phone and we take the groceries to them and deliver to their front porch and leave the receipt and groceries with no contact. If anyone wants to volunteer to help the Office of the Older Adults their phone number is 330-723-9514 and they are still taking volunteers. Keith does this two to three times a week.

Mr. Heffinger asked what amount was Jess thinking of putting up, Jess stated she initially asked to be capped at \$10,000.00 to be given in increments of \$2,500.00 at a time. Eric feels they need more of a formalized plan.

Mr. Shields has some of the same concerns as Mr. Simpson and Mr. Rose and thinks that maybe we could use this money towards the water bills that people are having trouble paying, maybe coming up with a plan for those that are going to be late on their bill, that's a quantifiable need when somebody can't pay their water bills and we know they are city residents.

Mr. Dirham stated they normally assess about \$10,000 to \$12,000 a month in penalty. If council wants to look at doing something like that, that's the normal number and we will be looking at a lot higher numbers as we move forward.

11. Executive Session: (Imminent litigation)

* Moved - Held after Council Meeting

There being no further business before the Finance Committee, the meeting adjourned at 7:15 p.m.

John M. Coyne, Chairman