

MEDINA CITY COUNCIL
Monday, March 14, 2022

Call to Order:

Medina City Council met in regular session on Monday, March 14, 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, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb. D. Simpson was absent.

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

Minutes:

Mr. Shields moved that the minutes from the regular meeting on Monday, February 28, 2022, as prepared and submitted by the Clerk be approved, seconded by Mr. Rose. The roll was called and the motion passed by the yea votes of J. Shields, J. Coyne, R. Haire, J. Hazeltine, 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 two weeks.

Health, Safety & Sanitation Committee: Mr. Simpson absent.

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Bill Lamb scheduled meeting to discuss deer within the city limits. Meeting was scheduled for Tuesday, April 19th at 5:30 p.m.

Streets & Sidewalks Committee: Ms. Haire scheduled a meeting for Wednesday, March 16, 2022 at 5:30 p.m. here at City Hall.

Water & Utilities Committee: Mrs. Hazeltine stated she will schedule a meeting sometime in April to discuss funding for the cable access program.

Emerging Technologies Committee: Mr. Rose stated no news with the Emerging Technology Committee but will be having the kick-off meeting of the Emerging Technologies Advisory Committee on March 24, 2022 at 6:30 p.m.

Requests for Council Action:

Finance Committee

22-050-3/14 – Expenditure (ARPA Funds) – MNJ Tech. – Community Development

22-051-3/14 – Expenditure – N. Royalton Power Equipment – Cemetery

22-052-3/14 – 2022 Material Bids

22-053-3/14 – Amend Ord. 174-21 – W. Smith Reconstruction Easement

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22-054-3/14 – Accept Easement – W. Smith Reconstruction
22-055-3/14 – Woodside Green Subdivision Phase II Dedication Plat
22-056-3/14 – FAA Grant Application – Narrative Report & ALP Update
22-057-3/14 – General Liability Insurance Renewal
22-058-3/14 – Budget Amendments
22-060-3/14 – Expenditure Over \$15,000 – OH Assoc. of Chiefs of Police
22-061-3/14 – Zoning Map Amendment – 881 Lafayette Rd. I-1 to C-3
22-062-3/14 – AARP Community Challenge Grant 2022

Special Legislation Committee

22-059-3/14 – Preserving Historic District

Reports of Municipal Officers:

Dennis Hanwell, Mayor,

- A. Annual Four Chaplains Service - was held Tuesday March 8 at 7 p.m. I was honored to speak on faith in Medina community, along with Pastor Arthur Ruffin from Second Baptist Church and Retired Lt. Colonel C. Reid Miller, U.S. Air Force Chaplain. Thanks to Council at Large Paul Rose for attending as well from city. The program was sponsored by the American Legion Post 202 of Medina and held at the Medina Presbyterian Church. Thanks to Rev. Dr. Henry Pearce, Pastor, for hosting.
- B. Memorial Day Parade – A decision will be made shortly after April 4th, 2022 to have parade or just a service on the Square. I am working with local veteran’s organizations. Preference is to have parade unless COVID outbreak prohibits same.
- C. Prayers - Respectfully ask all to keep the Ukrainian people in your thoughts and prayers as they experience this conflict and violence, both relatives here and those who reside in Ukraine or fled from same. Hopeful to bring this attack to an end as soon as possible.

Keith Dirham, Finance Director, Keith reminded all residents that the city does have Municipal income tax with RITA. RITA-Ohio.com

Greg Huber, Law Department, had no report.

Lt. Marcum Police Department, had no report.

Chief Walters, Fire Department, reminded everyone with the changing of daylight savings to also change your smoke detector batteries.

Kimberly Marshall, Economic Development Director, had no report.

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Jansen Wehrley, Parks and Recreation Director, Jansen stated they are currently accepting various positions at the Recreation Center as well as the Parks Department for seasonal employees, part-time laborers etc.

Dan Gladish, Building Official, had no report.

Nino Piccoli, Service Director, had no report.

Patrick Patton, City Engineer, absent.

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

Cindy Lastuka, Municipal Court, had no report.

Notices, communications and petitions:

There were none.

Unfinished Business:

There was none

Introduction of Visitors:

Kerry Kelly – resides at 520 N. Broadway in Medina city. Kelly feels let-down by some of the decisions that have been made. She chose Medina to live for many reasons such as uniqueness, the community and historic charm that it has. Kelly spoke of keeping and preserving the intricate fabric of what makes Medina our Medina. What is council actively doing to preserve this city's charm, not only in the historic district, but also in your respective Wards to ensure that buildings whether commercial or residential don't go into despair, and how you are encouraging others to maintain what they have. If we don't do anything, then there will be nothing, and we will just have a typical suburb that will look like all of the other towns across America.

Kelly Parks – owner Medina Centre for Dance Art (dance studio), and currently rents out the property on 129 N. Court. Kelly is honored to be part of the heart of the city. In 2008 she joined Mainstreet Medina as a business member and now on the board of directors. Kelly spoke of the history of our town and its value and how South town is an extension of our district. Protecting the quality of the properties that house our neighborhoods and our businesses is important. We've created the legislation to protect our legacy but we don't back up that legislation with action. We allow continued neglect and deterioration of what we profess to care about and value. How do we expect the State and Federal government to give us grants in growing this community and how do we expect private investment to value our district if we don't value it. We are on a very slippery downward slope. We have to make the decision to stop allowing property owners, and particularly absentee business property owners, to neglect properties to a place where the only choice left financially is to demolish them. We need to hold them responsible! Please protect our district from neglect.

Skip Baron resides at 536 N. Broadway St. Skip stated he has always been proud to work with

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City administration and Council. Preserving the past forging the future. It's one of the things that made us proud to be here. He is very disappointed where we are right now. He lives in the old Seymore home. Every time a historical home is demolished the city loses more of its history and soul, please do not allow that to happen. Skip spoke on landlord requirements.

Brian Ferron resides at 3335 Meyers Rd. in Medina. Brian spoke of the passion the city feels for our historic structures. He feels that we cannot loosen the grip on what we already have in place to help preserve structures through the proper channels. Medina should be leading the way in helping the villages and townships. He lives in the township and they have no protections for their historic structures and as a result, they see them disappearing. Brian asked the council to use the tools they have, set the example, and make Medina the town he has always loved.

Tom Doyle, 326 E. Smith in Medina. Tom is not in favor of making this a mandatory type thing. The city has been the biggest offender of tearing down historic buildings. It all comes down to things changing and original buildings being let go. Mr. Raymond is not causing the problem here, now suddenly he wants to do something else with another facility and we shouldn't be beating him up because it's over 100 years old, it has deteriorated, and this hasn't happened over night. He is a business man and he does own the property and has every right to do what he wants with it. For us to come to him and deny is not right. He needs the opportunity to show us what he can do with it.

President of Council John Coyne read an email he received from Paul Wood, 311 N. Jefferson, as follows:

Medina City Council Members,

As a member of the Historic Preservation Board as well as a concerned citizen, I am writing to express my dismay at the recent actions taken concerning 133 N. Court Street and possibly 277 S. Court Street.

Medina proudly has signs stating "Historic Medina" on I-71 and indeed we get visitors from all over spending money in our historic square district. As we have lost close to 40 buildings by demolition over the last 35 years, we are moving further away from being "Historic Medina". We need to have building owners that understand that the income they derive from their property is in part because of the nature of our designated historic district. Shame on the building owners who are allowing their building to fall into disrepair and then come before our boards to ask for demolition because of the bad conditions. We need to have inspections in the historic district to keep this from continually happening or Medina will no longer have the appeal it has enjoyed. Newer residents may not be aware of the condition of the square 55 years ago but Medina was not a destination then. Our growth has been predicated on the beauty of the area and that beauty is our uptown square area. Few cities or villages in Ohio can boast of their beauty any more than Medina but we are losing that bit by bit. In 20 years, people will say, "why did they allow that big home to be torn down just to erect an artificial replica of a historic building in its place. Imagine if the King-Deibel home that the Gowe's saved had been lost to the wrecking ball. It may not have been financially prudent to invest that much but those of us that love old buildings see it differently. We see it as saving history and find the return on investment a prideful action.

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The city needs to heed the appointed Historic Preservation Board's decisions and understand the painful steps that we go through to evaluate all actions that come before the board. This is not done arbitrarily.

I ask the council to find a way to save the home at 133 N. Court Street and stop the piece by piece destruction of historic Medina.

Respectfully,
Paul Wood
311 N. Jefferson Street
Medina, OH 44256

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. Rose. Ord. 040-22, Ord. 041-22, Ord. 042-22, Ord. 043-22, Ord. 044-22, Ord. 045-22, Res. 046-22, Ord. 047-22, Ord. 048-22, Ord. 049-22, Ord. 050-22, Ord. 051-22, and Ord. 052-22. The roll was called and the motion passed with the yea votes of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields.

Ord. 040-22:

An Ordinance authorizing a water service connection at 4615 Abbeyville Road located in York Township. Mr. Shields moved for the adoption of Ordinance/Resolution No. 040-22, seconded by Mr. Rose. Mr. Piccoli stated a new owner requested to tie into our water system due to not having an adequate water source and understands it would be a 45% increase with respect to the cost of water. The roll was called and Ordinance/Resolution No. 040-22 passed by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and J. Coyne.

Ord. 041-22:

An Ordinance amending Ord. No. 201-21, passed December 13, 2021. (Amendments to 2022 Budget – 2021 Carryforward). Mr. Shields moved for the adoption of Ordinance/Resolution No. 041-22, seconded by Mr. Rose. Mr. Dirham stated this is the unspent appropriations from last year's budget being re-appropriated for this year. The roll was called and Ordinance/Resolution No. 041-22 passed by the yea votes of J. Hazeltine, B. Lamb, P. Rose, J. Shields, J. Coyne, and R. Haire.

Ord. 042-22:

An Ordinance authorizing the Finance Director to payout unused 2021 Vacation Time to three City of Medina employees. Mr. Shields moved for the adoption of Ordinance/Resolution No. 042-22, seconded by Mr. Rose. Mr. Dirham stated the city code ordinarily requires that employees use at least three weeks of vacation in order to be paid out for any unused vacation and we are asking to waive that for these three employees they were unable to use that vacation due to staff shortages, COVID and other issues. The roll was called and Ordinance/Resolution No. 042-22 passed by the yea votes of B. Lamb, P. Rose, J. Shields, J. Coyne, R. Haire and J. Hazeltine.

Ord. 043-22:

An Ordinance amending Section 31.07 of the Salaries and Benefits Code of the City of Medina, Ohio relative to accepting the Revised Job Description for the Senior Activities

Coordinator at the Medina Community Recreation Center. Mr. Shields moved for the adoption of Ordinance/Resolution No. 043-22, seconded by Mr. Rose. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 043-22, seconded by Mr. Rose. Mr. Wehrley stated this amendment removes senior specific language from the job description so that we have the ability to hire an activity coordinator for all different demographics including for their seasonal programming. Emergency is requested because they would like to start advertising for assistance with summer programs. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb. The roll was called and Ordinance/Resolution No. 043-22 passed by the yea votes of J. Shields, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose.

Ord. 044-22:

An Ordinance amending Section 31.02(E) and 31.07 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the pay rate and job description for the Travel Aide / Marketing Coordinator at the Medina Community Recreation Center. Mr. Shields moved for the adoption of Ordinance/Resolution No. 044-22, seconded by Mr. Rose. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 044-22, seconded by Mr. Rose. Mr. Wehrley stated the Marketing Coordinator position is currently vacant and they are taking this opportunity to update the job description to reflect industry wide changes in digital marketing and social media as well as relative job duties. Due to some experience being required with the necessary design software they are recommending changing pay code and the emergency is needed so they can start to advertise. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 044-22 passed by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and J. Coyne.

Ord. 045-22:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for Job #1105, South Court Water Painting and Repairs Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 045-22, seconded by Mr. Rose. Mr. Piccoli stated this will involve sandblasting as well as some modifications with respect to the hand rail replacement. Water distribution will not be interrupted. Hopeful to have this project completed by this fall. The roll was called and Ordinance/Resolution No. 045-22 passed by the yea votes of J. Hazeltine, B. Lamb, P. Rose, J. Shields, J. Coyne, and R. Haire.

Res. 046-22:

A Resolution authorizing the application for grant assistance from the Supreme Court of Ohio for the 2022 Technology Grant for the Medina Municipal Court. Mr. Shields moved for the adoption of Ordinance/Resolution No. 046-22, seconded by Mr. Rose. Cindy Lastuka stated this is to receive a tech grant from the Supreme Court to add to our case management e-filing. The roll was called and Ordinance/Resolution No. 046-22 passed by the yea votes of B. Lamb, P. Rose, J. Shields, J. Coyne, R. Haire and J. Hazeltine.

Ord. 047-22:

An Ordinance authorizing the Mayor to accept seven (7) Easements necessary for the West

Smith Reconstruction Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 047-22, seconded by Mr. Rose. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 047-22, seconded by Mr. Rose. Mr. Piccoli stated this is being requested in order to complete the construction on West Smith Road by accepting 7 easements, there are 16 in total. Emergency is needed due to deadlines required by ODOT. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb. The roll was called and Ordinance/Resolution No. 047-22 passed by the yea votes of J. Shields, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose.

Ord. 048-22:

An Ordinance authorizing the Mayor to accept the Storm Water Operation and Maintenance Agreement (SWOMA) from Touchstone Properties LLC, for a newly installed storm water detention system. Mr. Shields moved for the adoption of Ordinance/Resolution No. 048-22, seconded by Mr. Rose. Mr. Piccoli stated this agreement is required by the Ohio EPA for newly developed properties that have storm water retention facilities. The agreement will also ensure that the detention system operates as designed throughout the life of the development. This is for a rock crushing yard on Progress Drive. The roll was called and Ordinance/Resolution No. 048-22 passed by the yea votes of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields.

Ord. 049-22:

An Ordinance authorizing the Mayor to accept the Storm Water Operation and Maintenance Agreement (SWOMA) from Chick Fil A for a newly installed storm water detention system. Mr. Shields moved for the adoption of Ordinance/Resolution No. 049-22, seconded by Mr. Rose. This explanation is the same as the previous ordinance with respect to the agreement with the EPA for newly developed properties that have retention. The roll was called and Ordinance/Resolution No. 049-22 passed by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and J. Coyne.

Ord. 050-22:

An Ordinance amending Ordinance No. 127-17, passed September 11, 2017, pertaining to the Pavilion Rental Fees for the Parks and Recreation Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 127-22, seconded by Mr. Rose. Mr. Wehrley stated this is to amend rental time blocks from four hours to three hours in an effort to provide greater opportunity for residents and non-residents to enjoy the facilities. Working toward using online blocking. The roll was called and Ordinance/Resolution No. 127-22 passed by the yea votes of J. Hazeltine, B. Lamb, P. Rose, J. Shields, J. Coyne, and R. Haire.

Ord. 051-22:

An Ordinance authorizing the Mayor to enter into a Right-of-Way Purchase Agreement with JMJ Holding Corp, an Ohio Corporation, for the purpose of completing the West Smith Reconstruction Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 051-22, seconded by Mr. Rose. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 051-22, seconded by Mr. Rose. Mr. Piccoli stated in order to complete this project the city needs to acquire several easements and purchase some properties, this will

authorize the purchase agreement for one of those properties. Emergency is requested similar to the previous ordinance stating that the right-of-way is a critical milestone in the ODOT process and requires time lines. The roll was called on adding the emergency clause and was approved by the yeas votes of B. Lamb, P. Rose, J. Shields, J. Coyne, R. Haire and J. Hazeltine. The roll was called and Ordinance/Resolution No. 051-22 passed by the yeas votes of P. Rose, J. Shields, D. J. Coyne, R. Haire, J. Hazeltine, and B. Lamb.

Ord. 052-22:

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. 052-22, seconded by Mr. Rose. Mr. Dirham stated as discussed earlier tonight at the finance meeting this is for funds received that have to be appropriated and additional testing beyond what was budgeted for the Civil Service Department. The roll was called and Ordinance/Resolution No. 052-22 passed by the yeas votes of J. Shields, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose.

Council Comments:

Jessica Hazeltine stated in the absence of councilman Mr. Simpson she will just say please be kind. Hopes everyone will have a great St. Patrick's Day and stay safe.

Paul Rose sent prayers to the Ukrainian people and may this war stop really quick.

Mr. Lamb thanked all who came to speak this evening. Bill's sense of working with this administration has been that you could almost think that everyone here had taken a master class in how to be a good listener, and take in to account opinions that they may or may not agree with, and that is a hard thing a hard thing to find. His involvement in the restoration and the preservation of the downtown goes back quite a long way before he was here, because his wife was involved in saving the old courthouse. Bill spoke of the 1980's and back then to protect what they had accomplished because they weren't always dealing with people that had the same spirit and heart and commitment to the restoration. When legislation was crafted for the preservation board it was done with care so that it wasn't over burdensome but it was a way to ensure that the general guidelines of what you'd expect in a historic district to follow could be enforced, and always hopeful that people would do that on their own and not have the heavy hand of enforcement.

This administration works hard to make things right, sometimes things just don't work.

This one went through Boards and Commissions and came up with a result that in his opinion for him anyway was the saddest thing he has heard in a long time and he has been here awhile. It's important that we continue to have the kind of discussions to help educate people and the community about what we had, what we fixed and how we got here and to elevate that discussion about the preservation of our very small district. When you take away a building you do take away the entire history. When you do take away a building that is historic that could have been maintained, still can still be maintained and you construct another building that yeah, it's nice and it's up to code, you are creating a "Disney-esque" neighborhood and that is not within the guidelines generally acceptable in any historic district. Without tearing the building down, you can make buildings conform architecturally but not imitate the buildings that are historic. We need to do what we are doing now and continue to work on now. Mainstreet, CDC, the Historical Society, they have a rough draft of information in a brochure so that every business owner, every property

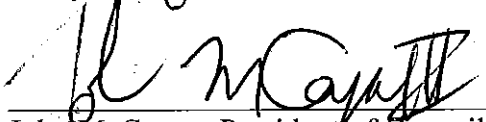
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owner in the district, contractors, realtors all know the regulations and rules that are currently in place so that things like this won't happen. By working together as a community, hopefully the next building that comes up will be dealt with and handled, handled in a different way.

There being no further business, the meeting adjourned at 8:31 p.m.



Kathy Patton, Clerk of Council



John M. Coyne, President of Council

