

MEDINA CITY COUNCIL

Monday, July 11, 2022

Call to Order:

Medina City Council met in regular session on Monday, July 11, 2022 at Medina City Hall. The meeting was called to order at 7:30 p.m. by Council President John Coyne III. Eagle Scout Austyn Perdue led in the Pledge of Allegiance.

Roll Call:

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

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 regular meeting on Monday, June 27, 2022, as prepared and submitted by the Clerk be approved, seconded by Mr. Simpson. The roll was called and the motion passed by the yea votes of J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and R. Haire.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated the Finance Committee met prior to this evening's Council meeting and will meet again on August 22nd.

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: Mrs. Haire had no report.

Water & Utilities Committee: Mrs. Hazeltine had no report.

Emerging Technologies Committee: Mr. Rose stated the Emerging Technology Advisory Committee will have a meeting on August 18th at 5:00 p.m., at City Hall.

Requests for Council Action:

Finance Committee

22-157-7/11 – 2023 Tax Budget

22-158-7/11 – Bulletproof Vest Partnership Grant – Police Dept.

22-159-7/11 – Grant Application – OPWC – Medina St. Bridge Replacement

22-160-7/11 – Gates Mills Boulevard Appropriation – Engineering

22-161-7/11 – Amend Code, Section 505.11 – Hunting Prohibited

Reports of Municipal Officers:

Dennis Hanwell, Mayor,

- A. Band Concert s- Friday night band concerts will be each Friday night in July at 8:30 p.m., Public Square, weather permitting.
- B. Farmers' Market on Square each Saturday a.m.
- C. Square events:
 - a. Medina County Arts Week July 11th-15th
 - b. Medina Fest - July 16th
 - c. Art in the Park- July 17th
 - d. Big Band Jazz- July 23rd
 - e. Cars and Coffee July 24th
- D. Public members interested in city meetings can check website or provide you email to clerk Kathy Patton at kpatton@medinaoh.org
- E. Great Race - The Great Race, sponsored by Hemmings Motor News, Hagerty Drivers Club, Reliance Carriers, Inc, and Coker Tire, came to Medina on June 21, 2022. I would like to invite up Barbara Dzur, city organizer to handle presentation to our local sponsors and volunteers.
- F. Eagle Scout Proclamation for Austyn Geoffrey Perdue

Barbara Dzur spoke on the Great Race and thanked:

City staff – provided behind the scenes to make the event possible

Greater Medina Chamber of Commerce – Fiscal Agent

Recognized local sponsors:

Cleveland Clinic Medina Hospital, Huntington Bank, Lloyds Towing, Medina County Convention and Visitor's Bureau, Homestead Insurance, Medina Tax Service, Perkins Classic Car Addiction, Don Williams Garage, 3M, Carlisle Brake, Sandridge Food Corp., Summit Racing, Busy Bee Automotive Repair Center, Rad Air, Discount Drug Mart, and South Town Creative Shop.

Recognized the United Church of Christ Congregational staff – opened doors to their church and served over 300 people lunch.

Thanks to the volunteers who helped plan and publicized the event, getting sponsors and greeting each race car and welcomed them.

Keith Dirham, Finance Director, stated there are a few items from finance on the agenda, the tax budget and Then and Now he will discuss.

Greg Huber, Law Department, Greg stated he has been working with the Building Department head Dan Gladish in pursuing litigation in the last 9 months. Greg has claims against the owners of the property that was formally Kmart. We recently secured no contest pleas to each of the claims and quiet a few of the property maintenance issues are still not resolved. Mr. Gladish filed new claims. These efforts are apparently getting attention because Wednesday they have a meeting with some of the higher ups in the ownership of the corporation that manages or fails to manage this property, and hopefully we start to see some movement with respect to what will happen there in the near future. Greg thanked Dan, stating the litigation is problematic and long running, but as a result of the Building Departments excellent preparation with the case, we have been able to prevail

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and continue to push the rock up the hill.

Chief Kinney, Police Department, had no report.

Chief Walters, Fire Department, had no report.

Kimberly Marshall, Economic Development Director, update on the Small Business Workforce Assistance Grant Program. City Council had set aside \$200,000.00 from the American Rescue Plan Act Funding that the city received and that is to assist small businesses with workforce challenges due to the COVID-19 pandemic. The program guidelines and the application are now available on the City website under the Economic Development section. They set aside \$50,000.00 to help assist Micro Businesses. Small Businesses for our program are defined as that which has no more than 50 full-time equivalent employees and a Micro Business has been defined as 10 or fewer employees, one of whom owns the business. All applicants must be located within the City of Medina.

New Business Ribbon cuttings will be for the Monarca Cantina – 108 Public Square
First Watch Restaurant - former Ruby Tuesdays – had soft opening.

Jansen Wehrley, Parks and Recreation Director, updates from the Rec Center, the Matrix strength training equipment was delivered and installed. Recommends coming into the Rec Center if you haven't been in recently, there have been many updates. There are three Party in the Park events remaining this year. Wednesday, July 13th Ray Mellert Park 6 p.m. to 8 p.m. - Summer Olympics, July 20th Fred Greenwood Park 6 p.m. – 8 p.m. – Hosting Christmas in July Foam Party and July 27th Memorial Park Luau Pool Party 6 p.m. – 8 p.m.

Dan Gladish, Building Official, had no report.

Nino Piccoli, Service Director, acknowledged the Service team working day in and day out under extreme temperatures. Congratulations to Eagle Scout Austyn.

Patrick Patton, City Engineer, had no report.

Andrew Dutton, had no report.

Notices, communications and petitions:

There are none.

Unfinished Business:

There was none.

Introduction of Visitors:

Letter was read by John Coyne:

Subject: Deer ordinance concern

I cannot attend the meeting tonight. Please have someone read this aloud, if community input is permitted. May I add that most people thought that after the June 28, 2022 meeting. the worst was

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over. And we would return to kinder things. How fortunate some discovered this was not so. I feel things will be pursued until the complainant(s) gets their way. So what is the complaint exactly? None has been formally stated by a governing body. I have heard statements of some irrelevant documentation, hearsay, and complaints of deer eating flowers and defecating on lawns. For this, the loudest and angriest group feels all deer should be killed. Members of the community showed up, those that knew, to make statements about the proposals. Shouldn't that be a red flag to the council members to react appropriately? I am sure we would like to just let you do your jobs, and not interfere. But we cannot, with the statements made by some council people and the over-governing by the same. This culling situation, including Feeding the Deer and other animals, has gotten nasty and out of hand. Were you elected or appointed for seeking to make new legislations that in most community opinion are not necessary? I live by a small city park, mostly wooded. One would think that I would be able to see the 600+ deer and animals first hand. Not so. Not here. Please leave us and the animals alone. As several have stated, COEXIST.

Shirley Ann Walker
426 S. Broadway Street
330-321-2712

Per a study that was done at Cornell University, who has done a 10-year study about why hunting and sterilization didn't help. They determined that monitoring deer was way more effective. Attached is the article about the study, New York and Ann Arbor Michigan uses the study's findings to effectively monitor the deer population. We have taken away their land for banks, mattress stores, oil change stores, grocery stores, big box stores, restaurants and let's not forget tire stores. We have built houses, most developments will allow for 3 houses to an acre of land. It really is sad that people cannot and will not co-exist with wildlife. I do understand that we all thought the lethal topic was off the table, but that is not true, it was a way to pacify and I feel that City Council feels that we are just sheepishly following what they want us to believe. I also remember that meeting, you said there was a firework ban. Well I have a scanner and there were a lot of houses around the square shooting off fireworks that the Police were heard on scanner saying they would do nothing about people shooting fireworks. So please remember, if the will not follow you on something as easy as not shooting fireworks, are they going to follow your rules on a culling. Only you Council can make sure the citizens of Medina are safe, people deserve it. Thank you for your consideration.

Kimberly and Douglas Burns

Stacy Bene resides at 3847 Knots Landing
Requested explanation on Voting within the Special Legislation and how this came to Finance.

John Coyne stated an additional request for council action was submitted by Mayor Hanwell and he requested that all members of council have a discussion on it and ask members of council if they wanted to address the issue and all of council agreed. There were 6 members of council that wanted to hear it again.

Stacy stated she is hearing the opposite from the people in her realm, she is hearing that we should co-exist that we should try non-lethal versions of trying to control the population. She is asking if Council could bring this to the November ballot.

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. Res. 132-22, Res. 133-22, Ord. 134-22, Ord. 135-22, Res. 136-22, Ord. 137-22, Res. 138-22, Ord. 139-22, Ord. 140-22, Ord. 141-22, Ord. 142-22, Ord. 143-22. The roll was called and the motion passed with the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire and J. Hazeltine. B. Lamb cast a nay vote.

Res. 132-22:

A Resolution congratulating Austyn Perdue on attaining the rank of Eagle Scout.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 132-22, seconded by Mr. Simpson. The roll was called and Ordinance/Resolution No. 132-22 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb.

Res. 133-22:

A Resolution adopting the Tax Budget of the City of Medina, Ohio for the fiscal year beginning January 1, 2023 and submitting the same to the Medina County Auditor.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 133-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 133-22, seconded by Mr. Simpson. Mr. Dirham stated this is the tax budget for 2023, the emergency clause if so that it can be timely filed. The roll was called on adding the emergency clause and was approved by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose. The roll was called and Ordinance/Resolution No. 133-22 passed by the yea votes of D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields.

Ord. 134-22:

An Ordinance authorizing the Mayor to execute a Purchase Agreement for approximately 30.05 acres of land located at 2000 Medina Road, Medina, Ohio; Medina County Permanent Parcel Number 033-12A-03-017 for Medina Municipal Airport expansion and operations.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 134-22, seconded by Mr. Simpson. Mr. Huber suggested making the passage of this ordinance subject to his approval so that he can work on some of the changes in the contract that were discussed. Greg stated this ordinance authorizes the Mayor to sign a contract for purchase of 30 acres of land immediately adjacent to the east side of the Medina Airport for a cost of \$550,000.00. The FAA has been favorably responsive to grant applications that will be made to reimburse the City of Medina for 95% of the cost of this purchase. Our engineers that handle the airport operations have examined this land and determined that it is excellent for future expansion of the airport and would allow a better aircraft parking facility, better maintenance facility and corporate hangers. Our airport is considered by almost all the pilots that he has known and people that have used the airport has an excellent feeder facility between Akron / Canton and Cleveland Hopkins it has great approaches from all directions and has good potential to be more self-sufficient if we can achieve this expansion and ultimately expand the runway to 4,000 feet so that we meet insurance minimums for more corporate aircraft. There is a lot of indirect economic benefit from our airport at this time. It can be a lot better if we are able to expand to some extent and hopefully this works well. The roll was called subject to Law Director's approval and Ordinance/Resolution No. 134-22 passed by the yea votes of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 135-22:

An Ordinance to approve, adopt and enact current replacement pages to the Codified Ordinances of the City of Medina, Ohio. Mr. Shields moved for the adoption of Ordinance/Resolution No. 135-22, seconded by Mr. Simpson. Mr. Coyne stated this comes from yearly update of our Codified Ordinances through the Council Offices to incorporate all the replacement pages and changes that were made throughout the various ordinances of the City of Medina. The roll was called and Ordinance/Resolution No. 135-22 passed by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Res. 136-22:

A Resolution authorizing the Mayor to apply for American Rescue Plan Act (ARPA) Funding for a first Responder Wellness, Recruitment, Retention and Resiliency Grant for the City of Medina Police Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 136-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 136-22, seconded by Mr. Simpson. Chief Kinney stated this is for permission to apply for the ARPA Funding Grant. It is specific to Officer Wellness, Recruitment, Retention and Resiliency. If awarded the intent is to remodel the workout room downstairs. The grant is for \$142,011.00 there is no match and this has no impact on the City ARPA Funds. Emergency clause is requested as the grant was due last month. The roll was called on adding the emergency clause and was approved by the yea votes of J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and R. Haire. The roll was called and Ordinance/Resolution No. 136-22 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire and J. Hazeltine.

Ord. 137-22:

An Ordinance authorizing the Mayor to execute an agreement between Main Street Medina and the City of Medina for Medina TV Production Services of Main Street Medina Programming. Mr. Shields moved for the adoption of Ordinance/Resolution No. 137-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 137-22, seconded by Mr. Simpson. Mayor Hanwell stated this is another mechanism for the city to try and bring some outside money to help support our Medina TV operations like we are doing with the Medina County Commissioners, this is an agreement to do some film work and editing for Mainstreet Medina Events for them to use for promotions and for their website and the request for the emergency clause is so that it can get started sooner and not have the summer go by without the opportunity to gather some of those events since it is their busiest time of the year. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine. B. Lamb cast a nay vote. The roll was called and Ordinance/Resolution No. 137-22 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and P. Rose. B. Lamb cast a nay vote.

Res. 138-22:

A Resolution authorizing the Mayor to execute an Economic Development (TRES) Transfer form from the Division of Liquor Control for the property located at 220 N. State Street. Mr. Shields moved for the adoption of Ordinance/Resolution No. 138-22, seconded by Mr. Simpson.

Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 138-22, seconded by Mr. Simpson. Mrs. Marshall stated this is for Pickleback LLC located at 220 North State Street, they have identified a liquor permit that they are requesting to be transferred into the City of Medina. The seller of the liquor license is Sweet Carrot Grandview LLC. Pickleback will initially employ 10 to 12 people and generate income tax for the City of Medina as well as an investment in an underutilized building. Asking for the emergency clause because their attorney Mark Meyers has located a seller and would like to execute a final purchase agreement on the deal and get it finalized as soon as possible. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 138-22 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose.

Ord. 139-22:

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the West Smith Reconstruction, Phase 4 project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 139-22, seconded by Mr. Simpson. Mr. Patton stated this will be the fourth and final phase of the reconstruction on West Smith Road. Starts east of State Road and continues to South Court Street. Estimated cost is \$5,096,000.00. \$2,046,590.00 of that is being provided via federal grant. The roll was called and Ordinance/Resolution No. 139-22 passed by the yea votes of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 140-22:

An Ordinance of the Council of the City of Medina, Ohio certifying that when a municipal obligation was incurred sums were lawfully appropriated in the funds to satisfy the obligation and sufficient sums currently exist to satisfy this obligation. Mr. Shields moved for the adoption of Ordinance/Resolution No. 140-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 140-22, seconded by Mr. Simpson. Mr. Dirham stated this is what is called a Then & Now purchase order and it's because of a repair to the railroad that was not anticipated. The emergency is needed because the repair is complete and we need to pay the vendor. The roll was called on adding the emergency clause and was approved by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 140-22 passed by the yea votes of J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and R. Haire.

Ord. 141-22:

An Ordinance authorizing the increase of the expenditure to Wintrow Construction Corporation for the emergency repairs to the City Railway. Mr. Shields moved for the adoption of Ordinance/Resolution No. 141-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 141-22, seconded by Mr. Simpson. Patrick stated it's for emergency repair of a railroad line. 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, R. Haire and J. Hazeltine. The roll was called and Ordinance/Resolution No. 141-22 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb.

Ord. 142-22:

An Ordinance amending Chapter 145.03 and the adopted "Appendix A" of the codified ordinances of the City of Medina, Ohio relative to the Historic Preservation Board. Mr. Shields moved for the adoption of Ordinance/Resolution No. 142-22, seconded by Mr. Simpson. Mr. Dutton stated the main purpose is to align the Board with The Planning Commission and The Board of Zoning Appeals primarily by adding 2 alternate members to fill in when regular members aren't available. Bill spoke on the Historic Buildings in the defined areas. Need to holistically look over and rewrite the whole thing. Look at point of sale inspections. The roll was called and Ordinance/Resolution No. 142-22 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and P. Rose. B. Lamb cast a nay vote.

Ord. 143-22:

An Ordinance amending Ordinance No. 191-19, passed November 25, 2019, Sections 5.6 and 7.2, the Joint Operating Agreement between the Board of Election of the Medina City School District and the City of Medina, Ohio relative to the Medina Recreation Center. Mr. Shields moved for the adoption of Ordinance/Resolution No. 143-22, seconded by Mr. Simpson. Jansen stated this is to increase the Capital Fund Contribution by \$10,000 for the next 5 years, total coming to \$150,000 for City of Medina and the School Board. The 2nd amendment is to the utilities that are provided by the school board, though the city has installed a new phone system and MCRC will be responsible for the full cost of that utility moving forward. The roll was called and Ordinance/Resolution No. 143-22 passed by the yea votes of D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose. J. Shields/Abstained.

Council Comments:

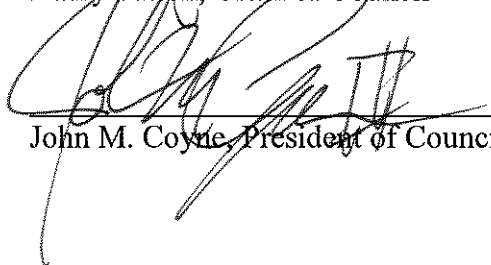
Mrs. Hazeltine congratulated Austyn. Enjoyed a peaceful 4th of July in Medina.

Mr. Rose also congratulated Austyn, stating he knows the work he went through for Eagle Scout. Have a safe summer.

There being no further business, the meeting adjourned at 8:26 p.m.



Kathy Patton, Clerk of Council



John M. Coyne, President of Council