

MEDINA CITY COUNCIL  
Monday, August 22, 2022

**Call to Order:**

Medina City Council met in regular session on Monday, August 22, 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 J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson.

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, July 11, 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 R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

**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 September 12<sup>th</sup>.

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 had no report.

**Requests for Council Action:**

Finance Committee

- 22-162-8/22 – Resolution to Adopt Update of Comprehensive Plan
- 22-163-8/22 – CHIP Grant Private Rehab – 412 W. Washington St.
- 22-164-8/22 – CHIP Grant Private Rehab – 30 Circle Drive
- 22-165-8/22 – Target of Opportunity Grant Contract – AM Plumbing – BWS
- 22-166-8/22 – Target of Opportunity Grant Contract – Cavalry Mechanical – BWS
- 22-167-8/22 – Transfer – General Fund to Police Fund
- 22-168-8/22 – Budget Amendments
- 22-169-8/22 – Transfer – General Fund to Railroad Fund
- 22-170-8/22 – Transfer – MCRC Operating to MCRC Capital Fund

- 22-171-8/22 – Transfer – General Fund to Parking Fund
- 22-172-8/22 – Advances – General Fund to Airport Funds
- 22-173-8/22 – Advance – Street/Stormwater Fund to Grant Fund (OPWC)
- 22-174-8/22 – Establish New Fund – Special Projects Fund – OneOhio Opioid Settlement Fund
- 22-175-8/22 – JCG Payment – Carlisle Brake /Friction Products
- 22-176-8/22 – Adjustments to Purchase Orders and Budgets due to Fuel Costs
- 22-177-8/22 – Increase Expenditure - Davis Tree Farm – Forestry
- 22-178-8/22 – Amend Planning & Zoning Code, 1137.02 and 1137.04
- 22-179-8/22 – Increase P.O. 22-684 – Epic Aviation
- 22-180-8/22 – Increase P.O. #22-594 – PRADCO – Police Dept.
- 22-181-8/22 – JCG Payment – Sandridge Food Corp.
- 22-182-8/22 – Grant Application – Ohio Criminal Justice Services Grant – Muni Court
- 22-183-8/22 – Approve ARPA Funds for Fire Station 1 HVAC
- 22-184-8/22 – Deer Hunting Program (Lamb)
- 22-185-8/22 – 2022 City Auction
- 22-186-8/22 – Approve ARPA Fund Project – Monarch Carpet One
- 22-187-8/22 – Increase P.O. 22-689 – Kokosing – Service Dept.
- 22-188-8/22 – Bids/Discussion – S. Court Curb Replacement Program
- 22-189-8/22 – Loan Application – Ohio Public Works Commission
- 22-190-8/22 – Agreement w/County to Operate & Maintain City’s Sanitary Sewer System
- 22-191-8/22 – Amend Ord. 120-22 – Emergency SR 18 Water Line Extension
- 22-192-8/22 – Cooperative Purchase – Fitness Equipment, MCRC
- 22-193-8/22 – Purchase – Firefighter Turnout Gear

**Reports of Municipal Officers:**

**Dennis Hanwell, Mayor,**

- A. Welcome back to Council after summer recess.
- B. State of City to Council next meeting, September 12th, 2022 and to Greater Medina Chamber of Commerce September 13th, 2022.
- C. Schools- Medina City Schools students and teachers returned August 17th, 2022. Street Dept. freshly painted school zone pavement markings as well as all crosswalks in school areas. Respectfully ask parents/public to watch for children walking to and from school and obey reduced speed limits, 20 MPH, during arrival, departure and when students are out on school properties. Police officers will monitor traffic during arrival and release times as well as stop in periodically throughout the day and walk through school buildings for increased presence and safety of staff and students all school year. Thanks to Chief Kinney for implementing same.

**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,** had no report.

**Chief Kinney, Police Department,** stated as an add on to the mayor’s comments regarding school

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being back in session, he wanted to remind everyone that the buses are also back out on the roads and you need to be cognizant of when they are stopped and the stop arm sign is out. We get many complaints from the bus drivers and it is an expensive ticket so just be aware the buses are back out and be careful.

**Chief Walters, Fire Department,** had no report.

**Kimberly Marshall, Economic Development Director,** had no report.

**Jansen Wehrley, Parks and Recreation Director,** as summer comes to an end we have modified hours at the Memorial Park Pool with the last two weekends this coming Saturday and Sunday and the following and will be open from 11:00 a.m. to 6:45 p.m. The splashpads will continue to operate through Labor Day with modified hours at Ray Mellert Park. The splashpad Monday through Friday is on from 5 p.m. to 8 p.m. due to construction and then operating as normal 12 p.m. to 8 p.m. on the weekends.

**Dan Gladish, Building Official,** had no report.

**Nino Piccoli, Service Director,** had no report.

**Patrick Patton, City Engineer,** The Ray Mellert park improvements which is the dog park and the parking lot expansion is under construction and we expect that to be completed within the next 30 days. Next week the concrete street repair program will begin.

**Andrew Dutton,** stated they received an application for a downtown hotel on South Court Street and this application was heard by the Historic Preservation Board, the Planning Commission and the Board of Zoning Appeals at their last meeting over a week ago. All three Boards and the Commission tabled the application for further discussion based on input at the meeting. As suggestion from the law director, we scheduled a work session with the boards and the developer on September 20<sup>th</sup> at 6 p.m. here at city hall.

**Notices, communications and petitions:**

There are none.

**Unfinished Business:**

There was none.

**Introduction of Visitors:**

Lance Traves - has owned the building at 239 S. Court Street since 2004, and runs a business called Labyrinth Management Group out of it. Lance feels there is pretty strong opposition associated with the current design and site plan for the proposed Hotel on South Court Street. Received Green Building award for his building due to the sustainable design and aspects that they incorporated while still maintaining the historic character of it. Feels strongly that the vitality of the district is tied to the historic character of the district. Lance feels this current site plan for the hotel and proposal is so far off of what is reasonable for the historic character of the district. The city should

do their own parking study on this because the parking study that was done was totally deficient and bias.

Carol Ericson - resides on Hedgewood Dr. she stated that she is a USA Pickleball Ambassador which is a volunteer position, USA Pickleball is the governing body for pickleball. Asked about the pickleball grant that the city was applying for and recognized that grant fell through but was hearing rumors that the courts at Sam Masi Park and Ken Cleveland Park are not going to be maintained any longer.

Jansen Wehrley stated they have no plan to stop maintaining their existing courts. They recently did a volunteer service project at Ken Cleveland Park with the Pickleball Association providing them with paint, crack filler to work collaboratively with them to actually install an additional court and that is why there are two there now. Sam Masi Park is unable to be renovated any further than cracked sealing and overlaying because we can't get equipment back there due to the size of the baseball field. They have plans in an area identified at Ray Mellert Park for future recreational courts and actually have a budget hearing at the end of the month to discuss that.

Nate Palmer - resides on Burntwood Dr. spoke on the deer issue here in Medina. Has had many issues with just trying to grow a garden in his own backyard for the last three years and it doesn't help that some of his neighbors continue to feed the deer. Something needs to be done.

Safety is being affected just driving trying to drive through the neighborhoods with his children in the car. Lethal methods are not uncommon across the U.S. there is a lot of information about cities that have successfully implemented lethal methods. Spoke on the academic study done about those methods called Managing Whitetail Deer in Suburban Environments. Nate encourages the council to go forward with the lethal solution, the realities are that we have to do something and the lethal is the best option and it can be done safely and effectively and not put the city at risk, it's been done successfully in many, many, other suburban locations across this country.

Skip Baron - resides on 536 N. Broadway St. His home was a historic house that originally was built on the square where the new courthouse is being built. It was moved in 1937 to its current site. Mr. Baron stated he is here to voice his opposition to the design and site plan currently proposed by the developer for the hotel on South Court Street being considered. It's been referred to as the Highway Hotel and he believes that is an accurate reflection of the current design and site plan.

Such a hotel has no place in Medina's public square historic district as the design is totally inconsistent and incompatible with the unique historic character and charm and legacy of the district. It must simply be not allowed to be built in the historic district.

Scott & Jeanie reside at 821 Dogwood Trail sent in a letter read by John Coyne.

Residents for over 32 years in the same house, in the past five to six years the deer population and problems have escalated and have become destructive, unmanageable and very costly to the homeowner's property. In our yard alone this year the deer have eaten around 175 hosta plants, 22 potted ferns on our porch, patio and yard along with five large planters of flower. In addition, we

can no longer enjoy and feed the birds because the deer empty the feeder in less than 15 minutes. The deer have no fear of humans and they have a large ravine full of vegetation to eat but they prefer homeowners landscaping. We have tried everything to repel them and have even tried home remedies – nothing works. The deer are not pets, they have no natural predators here. The herd needs to be majorly reduced for safety because it is out of control.

**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. 144-22, Res. 145-22, Ord. 146-22, Ord. 147-22, Ord. 148-22, Ord. 149-22, Ord. 150-22, Ord. 151-22, Ord. 152-22, Ord. 153-22, Ord. 154-22. The roll was called and the motion passed with the yea votes of J. Hazeltine, P. Rose, J. Shields, D. Simpson, J. Coyne, and R. Haire. B. Lamb cast a nay vote.

**Res. 144-22:**

**A Resolution authorizing the application and accept reimbursements from the Patrick Leahy Bulletproof BJA Grant for the purchase of bulletproof vests for the Police Department.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 144-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 144-22, seconded by Mr. Simpson. Chief Kinney stated this is their annual Bulletproof Vest Grant through the federal government and the emergency is requested based on the timeline of the grant. 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. 144-22 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb.

**Res. 145-22:**

**A Resolution authorizing an Application for Grant Assistance from the State of Ohio, Ohio Public Works Commission relative to Issue 1 and LTIP Program Funding for the replacement of the Medina Street Bridge.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 145-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 145-22, seconded by Mr. Simpson. Mr. Patton stated this is their annual submission to Ohio Public Works Commission, this year they selected the Medina Street bridge for replacement. The grant is for \$490,000.00 which will pay for a little more than 83% of the total cost of the project. Emergency clause is necessary because the grants are due in early September. 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. 145-22 passed by the yea votes of D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields.

**Ord. 146-22:**

**An Ordinance declaring the necessity to appropriate a permanent standard highway easement on a property as set forth in Exhibit "A" for the replacement of the Gates Mills Boulevard Culvert.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 146-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 146-22, seconded by Mr. Simpson. Mr. Patton stated in order to

complete the Gates Mills Blvd. culvert replacement they needed to acquire three easements, they successfully acquired two of those, the third one they have not yet got an agreement from the property owner. This legislation will allow the law director to pursue that easement. With recent conversations Patrick feels we might not have to go this route. The property owners have agreed in principal, and he would like to just pass this in case they need it. 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, J. Shields, and D. Simpson. The roll was called and Ordinance/Resolution No. 146-22 passed by the yea votes of R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

**Ord. 147-22:**

**An Ordinance authorizing the increase of the expenditure to Epic Aviation for the purchase of Jet-A-Fuel at the Medina Municipal Airport.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 147-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 147-22, seconded by Mr. Simpson. Mr. Dirham stated this is due to the increase in fuel prices. This one is for resale fuel. Emergency is due because we have run out of funds to pay for fuel and they need to refill the tank. 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. 147-22 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire and J. Hazeltine.

**Ord. 148-22:**

**An Ordinance authorizing the payment to Crouch Enterprises for the Private Home Rehabilitation at 412 West Washington Street as part of the PY20 CHIP Grant Program.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 148-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 148-22, seconded by Mr. Simpson. Mr. Dutton stated this is a CHIP private rehab project in the amount of \$80,000.00 to Crouch Enterprises. Emergency clause is needed in order for the contractor to initiate the project. 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, and B. Lamb. The roll was called and Ordinance/Resolution No. 148-22 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose.

**Ord. 149-22:**

**An Ordinance authorizing the payment to Crouch Enterprises for the Private Home Rehabilitation at 30 Circle Drive as part of the PY20 CHIP Grant Program.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 149-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 149-22, seconded by Mr. Simpson. Mr. Dutton stated this is a similar program for \$57,000.00. Emergency clause again is needed to start the project. 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. 149-22 passed by the yea votes of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson.

**Ord. 150-22:**

**An Ordinance authorizing the payment to AM Plumbing, LLC for the work performed at the Battered Women's Shelter as part of the CDBG – Target of Opportunity Grant.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 150-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 150-22, seconded by Mr. Simpson. Mr. Dutton stated this is a CDBG Target of Opportunity Grant for \$109,332.00 for plumbing work. Emergency clause is to get the work started. 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. 150-22 passed by the yea votes of J. Hazeltine, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and R. Haire.

**Ord. 151-22:**

**An Ordinance authorizing the payment to Calvary Mechanical, LLC for the work performed at the Battered Women's Shelter as part of the CDBG – Target of Opportunity Grant.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 151-22, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 151-22, seconded by Mr. Simpson. Mr. Dutton stated this is for \$102,066.00 for HVAC work. Emergency clause is needed in order to get the work started. 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. 151-22 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, and B. Lamb.

**Ord. 152-22:**

**An Ordinance authorizing the Finance Director to make certain fund transfers.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 152-22, seconded by Mr. Simpson. Mr. Dirham stated there are four transfers here, one is relative to the grant with the Court and the Police. The second one is for the Railroad Fund and is the city's annual contribution to the operations of the city's railroad. The third is the increase in the contribution to Capital Fund for the Rec Center. The final is the Parking Fund since it doesn't have hardly any revenue so we periodically transfer money from the General Fund to cover the cost that we engage in that fund. The roll was called and Ordinance/Resolution No. 152-22 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, and P. Rose.

**Ord. 153-22:**

**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. 153-22, seconded by Mr. Simpson. Mr. Dirham stated there are a lot of budget amendments this meeting and will not go through them individually, they were discussed at Finance. The roll was called and Ordinance/Resolution No. 153-22 passed by the yea votes of D. Simpson, J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, and J. Shields.

**Ord. 154-22:**

**An Ordinance authorizing the Finance Director to make certain fund advances.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 154-22, seconded by Mr. Simpson. Mr.

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Dirham stated advances are a loan from one fund to another and generally these are with grant projects where we are loaning money from the General Fund to the Grant Fund then we do the project, pay the expenditures, get reimbursement and then repay the advance. The roll was called and Ordinance/Resolution No. 154-22 passed by the yea votes of J. Coyne, R. Haire, J. Hazeltine, B. Lamb, P. Rose, J. Shields, and D. Simpson.

**Council Comments:**

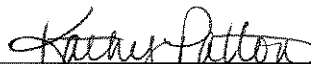
Jessica Hazeltine acknowledged that on August 31<sup>st</sup> it is overdose awareness day so please take a moment to remember those that we have lost to any substance abuse disorder. She also stated she will be on vacation for the next two weeks and wanted to recognize that September is Suicide Awareness month. As a suicide survivor it is very important to her and she wanted to put that out there so that people know they are not alone.

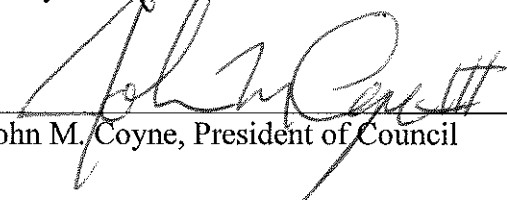
Paul Rose stated this evening was rather contentious on both sides, there were a lot of disappointed people but one thing he learned after the meeting in talking with some residents, they didn't know everything that we went through as a city before we came to this conclusion. Paul stated he holds the newspaper partially responsible for that in only giving one side of the story in the newspapers.

Bill Lamb thinks it's just wonderful that we have a free press, because there are a lot of folks that would like to control the free press and there are people that probably want attention and maybe they don't get it and maybe they feel less than, he isn't really sure but he thinks you should just write what you think you need to write.

Mr. Coyne concluded the meeting with the comment, let's be kind to one another.

There being no further business, the meeting adjourned at 8:19 p.m.

  
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Kathy Patton, Clerk of Council

  
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John M. Coyne, President of Council