

Finance Committee
Monday, August 22, 2022
5:00 p.m. Medina City Hall – Multi-Purpose Room

In attendance: J. Coyne – Chairman, P. Rose, J. Shields, B. Lamb, R. Haire, and Dennie Simpson, Jessica Hazeltine

Also present: Mayor Hanwell, Greg Huber, Keith Dirham, Nino Piccoli, Chief Walters, Andrew Dutton, Dan Gladish, Jansen Wehrley, Chief Kinney, Kimberly Marshall, Cindy Lastuka, Alyssa Alfano, Sara Crawford, “Say no to the Bow” protesters and Kathy Patton.

1. Assignment of Requests for Council Action

2. 22-162-8/22 – Adopt Comprehensive Plan Update

Mr. Dutton stated this was unanimously recommended for approval by the Planning Commission at the July meeting. The process to update the plan was initiated in Spring of 2021, the city chose OHM Advisors as a consultant firm for the project. This firm has a lot of experience in Comprehensive Planning. Andrew stated the process incorporated a large amount of public input in a variety of different formats. There was a large steering committee of 26 members which guided the process throughout. The result is a very usable plan that is well suited for the City of Medina.

Aaron from OHM gave a presentation and answered questions regarding the Comprehensive Plan. Aaron stated this was a five-phase process starting with organizing and investigating and looking at technical data. Phase-three is the community engagement component, there are two pieces to the process, the technical information that they bring as consultants and the research they do and there is the intuitive side which is the voice of your community. Their job is to ultimately bring those two together to work into phase 4 and 5 which is developing the plan. Your Comprehensive Plan is one of the foundations of what you use to operate your city.

Bill Lamb stated it was thrilling to have the opportunity to finally get this plan underway, councilman Rose and himself are on the selection committee when they picked OHM because they had worked with them before. Bill feels once or twice a year at a minimum we should take a look at the plan formally and see if there are areas we intend to deal with or if we have issues with and if we need to look at the comprehensive plan to see what it suggested.

Paul Rose like this particular exercise due to the number of people in the community that they were able to speak with and work with especially three high school kids that contributed from their perspective.

Mr. Shields stated that the Planning Commission has also reviewed and unanimously approved the plan.

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

3. 22-161-8/22 – Amend Section 505.11 – Hunting Prohibited

Mr. Coyne stated the history of this issue. There has been a lot of discussion that came about with good input. Before summer break they discussed it and it was 6-1 in favor of moving forward

with a culling program.

Jansen Wehrley there were two requests that they reviewed and added into the rules and regulations were that in order to participate in the program you had to be at least 21 years of age or older and in addition to that the hunter must provide proof of five years of experience or proof of at least five deer harvests, and that information can be gathered off of your own account through the Ohio Department of Natural Resources when you go and purchase your licenses online you can log in and pull up and get the date of your hunter education. If out of state and have an out of state hunter education course we can also require proof of five deer harvests. As far as everything else with rules and regulations goes remains the same.

Mr. Simpson stated during summer break he did have the ability to speak with and correspond with several residents both for and against culling program. Most people felt they would not support any culling in any of our neighborhoods and he feels the same. Dennie would like to amend the request to state that if there is culling in the city that the hunting only be permitted by the Police Department for properties that back up either to a public park or a wooded area that can be secured properly. Dennie would also like to follow Mr. Lamb's request of pursuing a non-lethal approach, and again this is just going to be a first step, a trial, and may put a lot of burden on the Police Department and the Administration as well as the Service Department. Dennie just wants to make sure that it is properties that are not going to be directed to any neighborhoods in the city and the hunt would be directed towards the parks or a secured wooded area.

Bill Lamb stated he has made clear a number of times his opposition to what is currently proposed. Bill appreciates Dennie trying to rope this in because there is nothing in this ordinance that says where this would take place or how much space there has to be. He stated he feels that the representative ODNR officer that came to the first Special Legislation meeting seems to be the engine behind this. The urban hunt is not reasonable, the way this is put together is basically a paste and copy proposal that is disguised as an answer to this question, this cry of do something. This at it's very best, a very short-term fix, is inhumane and ineffective.

To get this thing started we've partnered with ODNR whose only answer to deer management is one thing and that is to cull, they are in business to sell hunting licenses and to keep the deer population in the state at a level that serves that purpose.

Mr. Lamb stated all this could be addressed with a great deal of community involvement and participation but wouldn't be relying on numbers of deer it would be relying how do you address the issues and concerns of problems that the deer cause and those things can all be addressed in a non-lethal way, without violence, without considering having a hunt that was made clear in the beginning could well be in a neighborhood but it could be done in a humane way. That plan was approved out of Special Legislation but it is not here and it has not been brought to this board because what was brought to the board was the lethal plan that we got during the midst of those Special Legislation Committee meetings. Bill feels his 3 committee meetings were a complete waste of time. He would like to see this issue cries to go on the ballot.

Mr. Huber stated this proposal is before the council as a result of the council's previous vote to consider it and it is subject to change. This council can choose to not pick this up at this time or go forward if they want to. The majority will carry the day. Greg feels there is no intent on the part of the administration to rush anything with respect this issue.

Mr. Shields moved to approve the amendment to section 505.11 hunting prohibited, seconded by Mr. Simpson. Motion passed 6-1. Bill Lamb cast a nay vote.

Dennie Simpson moved to amend the ordinance as approved with hunting only being permitted by the Police Department for properties that back up either to a public park or a wooded area that can be secured properly. The motion was not seconded, failed.

4. 22-163-8/22 – CHIP Grant Rehab – 412 W. Washington St.

Mr. Shields moved to approve with the emergency clause, seconded by Mr. Simpson. Motion passes 7-0.

5. 22-164-8/22 – CHIP Grant Rehab – 30 Circle Drive

Mr. Shields moved to approve with the emergency clause, seconded by Mr. Simpson. Motion passes 7-0.

6. 22-165-8/22 – Target of Opportunity Grant Contract – AM Plumbing – BWS

Barbara Dzur stated this is for work done at the Battered Women’s Shelter, very large contracts and need them passed with the emergency clause. Mr. Shields moved to approve with the emergency clause, seconded by Mr. Simpson. Motion passes 7-0.

7. 22-166-8/22 – Target of Opportunity Grant Contract – Calvary Mechanical – BWS

Mr. Shields moved to approve with the emergency clause, seconded by Mr. Simpson. Motion passes 7-0.

8. 22-167-8/22 – Transfer – General Fund to Police Fund

Mr. Dirham stated this is in relation to the grant from a couple years ago, had to reallocate those expenditures to the police salaries which were allowable and in order to facilitate that need to reimburse the police fund for that amount. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passes 7-0.

9. 22-168-8/22 – Budget Amendments

#2022-020 – Reimbursement – Police

Mr. Dirham stated this needs to be appropriated in order to be spent. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passes 7-0.

#2022-021 – Police

Mr. Dirham stated this is for a camera. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passes 7-0.

#2022-022 – Salaries/S. Prospect/ARPA

Mr. Dirham stated all of these are transfers within the fund there are no overall increase or decrease. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passes 7-0.

#2022-023 – Misc.

Mr. Dirham stated there are a lot of items here mostly closing balances and so on. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passes 7-0.

10. 22-169-8/22 – Transfer – General Fund to Railroad Fund

Mr. Dirham stated the agreement with the railroad is \$10,000.00 a year and each customer will

pay that and the city pays an equal amount. This is our share. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passes 7-0.

11. 22-170-8/22 – Transfer – MCRC Operating to MCRC Capital Fund

Mr. Dirham stated this is in accordance with the Joint operating agreement on the Rec Center. Mr. Shields will abstain from voting due to this involving his employer. Mr. Simpson moved to approve, seconded by Mr. Rose. Motion passed 6-1. Mr. Shields abstained.

12. 22-171-8/22 – Transfer – General Fund to Parking Fund

Mr. Dirham stated the parking fund does not have enough revenues to pay for its operation so we periodically have to transfer money from general to cover it. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

13. 22-172-8/22 – Advance – General Fund to Airport Funds

Mr. Dirham stated this is covering grant projects for the Airport. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

14. 22-173-8/22 – Advance – Street/Stormwater to Grant Fund (S. Prospect)

Mr. Dirham stated this is for another grant on S. Prospect project and will be repaid once we receive the grant funds. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

15. 22-174-8/22 – Establish New Fund – Special Projects – OneOhio Opioid Settlement Fund

Mr. Dirham stated ordinarily when a new fund is created we are required to request of the State Auditors that we be permitted to but in this case the State is requiring us that we create this and they already sent out a thing that we don't have to ask but we still have to go through the formality of council creating the fund. Mrs. Hazeltine stated she was asked to be on the OneOhio that decides who/where the money goes and will abstaining. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 6-1. J. Hazeltine abstained.

16. 22-175-8/22 – Job Creation Grant Payment – Carlisle Brake & Friction

Mrs. Marshall stated this is for tax year 2021 in the amount of \$51,750.06 for two job creation grants. These grants are a result of two expansion projects, one being the warehouse production employee welfare areas and machinery equipment investments. The other is for the relocation of the Solon headquarters to Medina. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

17. 22-176-8/22 – Adjustments to Purchase Orders & Budgets due to Fuel Costs

Mr. Dirham stated that fuel costs have drawn back just a little bit from their peak but they are still considerably over what they were when we did budgets. This is our estimate of what is needed to get through the rest of the year. Some adjustments were made through Board of Control already because they actually ran out. There are some budget adjustments in here. Emergency clause is needed due to already being out of money on some of these lines. Mr. Coyne stated that council as a whole agree that fuel costs are not something that the department head can have that much control over and are agreeable during the budgeting process whatever the fuel cost was in their particular department the budget would be increased to reflect those additional expenditures and won't be held against the department head through other accounts based upon just because there was a higher fuel cost.

Mr. Rose asked how much of a buffer is Keith putting in these to consider oil increases later in the year?

Keith stated they were concerned about that also because if they run out of money in December then it is harder to get things paid. They looked at the first 6 months of the year and then added 20% to that to get through the last 6 months of the year. Mr. Shields moved to approve with the emergency clause, seconded by Mr. Simpson. Motion passed 7-0.

18. 22-177-8/22 – Increase P.O. 22-517 – Davis Tree Farm – Forestry

Mr. Wehrley stated this is to increase the total by \$10,000.00 making the total amount not to exceed \$25,000.00 so they can tag trees for their fall tree planting. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 6-1. B. Lamb cast a nay vote.

19. 22-178-8/22 – Amend Planning & Zoning Code, Sections 1137.02 and 1137.04

Mr. Dutton stated this specifically removes Wholesale Establishments from Principally Permitted Uses in the C-3 district and moves them to conditional use when less than 10,000 square feet in an area. Mr. Rose stated the Planning Commission did pass this unanimously. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

20. 22-179-8/22 – Increase P.O. #22-684 – Epic Aviation

Mr. Dirham stated this doesn't cost us any money at the bottom line because the fuel we buy at the airport is for resale so when the price goes up we pay more and charge more. Emergency clause is requested because the airport is out of money and need to fill the tanks. Mr. Shields moved to approve with the emergency clause, seconded by Mr. Simpson. Motion passed 7-0.

21. 22-180-8/22 – Increase P.O. #22-594 – PRADCO – Police

Chief Kinney stated this is an increase in their PRADCO P.O. and is to cover for heightened Police and dispatch hiring. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

22. 22-181-8/22 – Job Creation Grant Payment – Sandridge Food Corp.

Kimberly Marshall stated this is to authorize a job creation grant payment for tax year 2021 in the amount of \$36,875. For expansion projects. Funding comes from non-income tax generated revenues. Regi Haire stated this is her employer and will abstain from voting. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 6-1. Regi Haire abstained.

23. 22-182-8/22 – Grant Application – Ohio Criminal Justice Services – Muni Court

Cindy Lastuka stated they would like to apply for this grant, this was directly affected during COVID. Warrants were unable to activate on. Hey have about 639 open. This grant will allow funding for four bailiffs and about two deputy clerks as it considers overtime. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

24. 22-183-8/22 – ARPA Funds for Fire Station #1 HVAC

Chief Walters stated they had to replace the heating and cooling system, one of the commercial units at Fire Station #1 and did have the attorneys that manage the ARPA Funds look and confirm that those were approved. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

25. 22-184-8/22 – Deer Hunting Program (Lamb)

Mr. Lamb stated his concern is that the deer hunting program may be to a degree safe but if it was really safe we would could assume the liability. Bill spoke of hunting probabilities with injuries or property damage. His proposal is that we as a city if in fact we are going to go forward with this hunting program then we should at least at minimum assume liability.

Mr. Simpson spoke of an incident with property damage from an arrow and questioned how does this differ from someone that hit a deer with their vehicle, should the city be paying their deductible on their vehicles because we recognize there is a problem and have done nothing about it?

Bill doesn't feel that is a credible analogy. No one has turned in a request to do anything about the deer problem until he held Special Legislation meetings on the deer issue.

Dennie stated he feels it is unfair for Bill to say we as a council body have not done anything because when we first started talking about this the residents started coming up to us we did contact the state, we contacted ODNR and at that time the cost was prohibitive. In 2016 the Mayor asked Jansen to start getting data together. We did do something. The surrounding townships allow and say it's safe to hunt in their neighborhoods how do they deal with liability?

Bill stated he doesn't really care about how the surrounding townships are doing it, what he cares about is that we have said this is absolutely safe even though we don't know details.

John Coyne stated he thinks the parade is safe but we have them waive liability, should we not have them waive liability so if someone gets hurt in the parade we take full responsibility?

Mayor Hanwell mentioned a few others that sign waivers to not hold the city responsible such as the Rec Center has all participants sign waivers, the sports associations have all sign waivers, this is no different than what we are doing with all those things in the city and the Law Director and the Administration feel that the waiver is best for the city.

Mr. Coyne stated we are charged as Council to look out for the best interest of the City of Medina with respect to everything including liability.

Mr. Huber stated that this is really not a City of Medina novelty this is how this kind of activity is handled across the state. In legal terminology it is considered to be recreational activity across the State of Ohio. Recreational activity places responsibility upon the person who is actually engaged in the actions. Like with hunting, the actor is the hunter. In terms of responsibility for damage, the responsibility legally would lie with the actor which is the hunter.

Mr. Lamb respectfully disagrees because all of the sport activities that were just mentioned, none of them have a weapon.

Mr. Lamb moved to have the city waive its liability with respect to the culling program. Motion died for a lack of second.

26. 22-185-8/22 – 2022 City Auction

Mr. Piccoli stated this is for the annual city auction to be held for no longer needed vehicles and equipment that is still usable. The Law Director has approved the contract with First Quality

Auctioneer. Date is scheduled for October 22, 2022 at the city garage. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

27. 22-186-8/22 – Approve ARPA Funds Project – Monarch Carpet One

Nino stated they have had problems over the years in the Police Department with the sanitary pipes leaking. This is an ARPA approved project and if they council is in favor we would like to replace that carpeting in the two areas, specifically for sanitary purposes. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

28. 22-187-8/22 – Increase P.O. #2022-689 – Kokosing – Service Department

Mr. Piccoli stated in order to get to the end of the year they will need to increase this to \$22,000.00. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

29. 22-188-8/22 – Bids/Discussion – S. Court Curb Replacement Program

Mr. Patton stated this is a project they do semi-annually where they replace curbs in the city. This year they are recommending a project on S. Court Street starting on Lafayette Street to appoint approximately 275 feet south of South Street. In order to install these curbs, there are a total of 6 trees that will have to be removed. In addition to that our Forestry department surveyed the area and found three other trees that they are going to remove regardless if we approve this project or not. There are 19 more that are kind of susceptible. We have modified our specifications to have very careful excavation around those trees and installation of the curb to try and protect them. There is still the possibility they may be damaged during construction. Jansen and or Jessie on site while they are being excavated to make the determination at that point. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

30. 22-189-8/22 – Laon Application – Ohio Public Works Commission

Mr. Patton stated we are as a district required to take out a certain number of loans in addition to the grant. Our share of that loan this year will be \$120,000.00. Patrick stated there are additional loan funds available. The master plan we do for the water system we do about every 5 years there are some improvements to the waterlines around the square that has been at the top of our master plan recommended projects list, that come to about \$510,000.00. That funding would be available if we wanted to pursue it and so we are recommending that we pursue a loan in the amount of \$510,000 for the improvement of the waterline around the square. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

31. 22-190-8/22 – Agreement w/County to Operate & Maintain City’s Sanitary Sewer System

Mr. Patton stated the agreement where the County operates and maintains our city sanitary sewer system is expiring this December 31st. They worked to prepare a new fifty-year agreement commencing January 1st. It is essentially the same as the last agreement with a few minor changes. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

32. 22-191-8/22 – Amend Ord. 120-22 – Emergency SR 18 Water Line Extension

Mr. Patton stated they approved an ordinance authorizing an emergency waterline extension project in conjunction with the ODOT improvement on State Route 18 and at that time it was a ballpark estimate as how much the cost would be since it was a time and material agreement. The final total can be \$138,225.30 and we are asking to modify that ordinance to reflect that final amount, coming from ARPA funds. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

33. 22-192-8/22 – Cooperative Purchase Fitness Equipment – MCRC

Jansen Wehrley stated this request is to purchase free weight equipment for the balcony area and a couple pieces of ground floor equipment at the rec center. This is all replacing 20 year old original equipment through the National Cooperative Purchasing Allowance. Requesting to trade in various pieces of equipment that are included on the RCA totally \$6,200.00. Mr. Shields moved to approve, seconded by Mr. Simpson. Motion passed 7-0.

34. 22-193-8/22 – Purchase Firefighter Turnout Gear

Chief Walters stated this is part of their ongoing replacement plan for the structural firefighting gear that the fire fighters wear. That gear is going up 12% next month so instead of waiting until next year to get their next round knowing there will be at least one to two more increases they are requesting council to consider the total changing to \$33,660.00 for twelve sets instead of eight sets. In order for vendor to hold that pricing for us we would need to include the emergency clause with this. Vendor is Fire Safety Services. Mr. Shields motioned with amendments and the emergency clause, seconded by Mr. Simpson. Motion passed 7-0.

There being no further business, the Finance Committee adjourned at 6:45 p.m.

John M. Coyne, Chairman