

MEDINA CITY COUNCIL  
Monday, January 9<sup>th</sup>, 2017

**Public Hearing (7:30 p.m.)**

1) To consider the Planning Commission Recommendation to amend the Planning and Zoning Code to create a Transitional Housing use definition and regulatory framework.

**For:** Mr. Mendel stated this is the outcome of a process during 2016 to come up with regulatory framework for transitional housing. It originally went to Planning Commission on August 11<sup>th</sup> and they accepted the definitions. The remaining step was to create a regulatory framework review and recommend approval and that was brought to Planning Commission on October 13<sup>th</sup>, 2016. The details on the regulatory framework are in the packet that is part of the legislative process for Council. It was presented to Finance Committee on November 14<sup>th</sup>, 2016 for review. Tonight is the public hearing and then we anticipate an ordinance before council at the January 23<sup>rd</sup>, 2017 meeting.

Mr. Huber spoke in favor of this recommendation.

**Against:** None

Public Hearing was closed at 7:34 p.m.

**Opening:**

Medina City Council met in regular, open session on Monday, January 9, 2017. The meeting was called to order at 7:35 p.m. by President of Council John Coyne who led the Pledge of Allegiance.

**Roll Call:**

The roll was called with the following members of Council present D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Also present were the following members of the Administration: Mayor Dennis Hanwell, Keith Dirham, Greg Huber, Patrick Patton, Chief Painter, Jonathan Mendel, Dan Gladish, Kimberly Marshal, Mike Wright, Jansen Wehrley and Acting Police Chief Lt. Birckbichler.

**Minutes:**

Mr. Shields moved that the minutes from the regular meeting on December 12<sup>th</sup>, 2016 & January 4<sup>th</sup>, 2017 organizational meeting as prepared and presented by the Clerk be approved, seconded by Mr. Simpson. The roll was called and the minutes were approved by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

**Reports of Standing Committees:**

**Finance Committee:** Mr. Coyne stated they met prior to tonight's council meeting and had discussions on many items that will be on the next agenda and will meet again prior to the next council meeting on January 23<sup>rd</sup>.

**Health, Safety & Sanitation Committee:** Mr. Kolesar stated they met on December 19<sup>th</sup> to discuss recycling. They have plans for future meetings.

**Public Properties Committee:** Mr. Shields had no report.

**Special Legislation Committee:** Mr. Lamb had no report.

Streets & Sidewalks Committee: Mr. Simpson stated he will be meeting with Mr. Patton for a possible date in February to discuss updates on pending matters and projects for 2017.

Water & Utilities Committee: Mr. Hilberg had no report.

Emerging Technologies Committee: Mr. Rose had no report.

**Requests for Council Action:**

**Finance Committee**

- 17-001-1/9 – Tax Increment Financing Presentation
- 17-002-1/9 – Amend Parking Facility Agreement with Medina County (Discussion)
- 17-003-1/9 – Payment Over \$3,000 – Delta Airport Consultants
- 17-004-1/9 – Budget Amendments
- 17-005-1/9 – Establish New Fund - #152
- 17-006-1/9 – Establish New Fund - #151
- 17-007-1/9 – Increase Expenditure – North Gateway Tire – Police
- 17-008-1/9 – Expenditure Over \$15,000 – First Mason Properties (Grant Reimbursement)
- 17-009-1/9 – Increase Expenditure – H2 Wine Merchants
- 17-010-1/9 – Expenditure Over \$15,000 – Fredericksburg Builders – Parks
- 17-011-1/9 – Approve Fair Road Replat
- 17-012-1/9 – Authorize Ohio EPA Grant Application

**Reports of Municipal Officers:**

**Dennis Hanwell, Mayor,** reported the following:

1. First Night Medina- Went very well. Very cold outside but inside venues were well attended. Roughly 200 arrived and stayed for bee climb to top of old Common Pleas Courthouse at midnight. Tribute to Barbara Smith who planned and organized this event for over a year before she was suddenly killed in car crash weeks before the event. Special thanks to Keith Dirham and Pam Wagner, noon Kiwanis members, for taking over the planning and coordination to make for a successful event.
2. Sunday, January 15, 2017 at 4 p.m., there will be a community celebration of the life of Dr. Martin Luther King Jr. at Medina United Methodist Church, 4747 Foote Rd. This event is planned by the Medina Ministerial Association with music and the featured speaker will be Pastor Arthur A. Ruffin, Sr. of Second Baptist Church in Medina. An offering will be taken to support an annual college scholarship to local youth who display Dr. Martin Luther King, Jr.'s vision within their lives. Encourage all to join me in attending.

**Keith Dirham, Finance Director,** thanked Mayor Hanwell for doing the countdown for the bee launch during First Night. He thanked all the departments that were there and for their help. Keith stated there are a number of items on the agenda for tonight including two new funds and some appropriation adjustments that he will explain. They are already working on budgets for 2018 and the 2018-2022 five-year plan.

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**Greg Huber, Law Director,** had no report.

**Lt. Birckbichler, Acting Police chief,** had no report.

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

**Jonathan Mendel, Planning Community Director,** had no report.

**Chief Painter, Fire Chief,** reported over the Holiday Break they were inundated with questions about ice safety this year. Questions about ice fishing on Lake Medina or taking kids out onto ponds in developments. He stressed that none of the ice with all the temperature fluctuations is safe to be on. We are expected to get another warm up and it's just not strong ice this year and he does not recommend anyone to be on any of the ponds or waterways in the city.

**Mike Wright, Recreation Center Director,** reported their basketball league practices started tonight. All spectators and players will enter through the D6 backdoor and park in lots D, E, and F. The D6 door for practice nights of Monday thru Friday, will not open until 5:15 p.m. The Field House will be closed Saturdays from 8 a.m.-5 p.m. and Sundays, just two courts, from 8 a.m. - 2 p.m. We would like to thank everyone for their patience and understanding during this extremely busy time for the Rec. The next RAC meeting is Thursday, January 19th, at 7:30 a.m. at the Recreation Center.

**Jansen Wehrley, Parks and Recreation Director,** stated that Asplundh Tree t service has begun pruning trees along distribution circuits throughout town. The Forestry Dept. is in the process of issuing a second permit for First Energy Transmission Service which is separate from Distribution and there will be additional streets impacted and door hanger notification will begin next week.

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

**Patrick Patton, City Engineer,** gave an update ODOT's progress on US42 North Court St. Corridor improvements. Installation of the City water main is essentially complete along Court Street, work will continue to tie in all the side streets. Some of this work will be done at night, but others at certain locations will require temporary closures of some of those side streets. They will notify all ahead of that schedule. BOC did award a contract for Wadsworth Road water line and that project is expected to start within the next two weeks and take a month to complete.

**Nino Piccoli, Service Director,** Nino announced that the leaf program has officially ended, the weather did allow us to get back out for a short period up till December 30<sup>th</sup>.

#### **Confirmation of President of Council appointment**

Community Investment Corporation – Jim Shields (Treasurer) – Exp. 12/31/18  
Mr. Simpson moved to approve, seconded by Mr. Kolesar. Confirmation approved by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

**Confirmation of Council appointment**

Archive Commission – Shannon Conley-Kurjian – Exp. 12/31/18  
Mr. Shields moved to approve, seconded by Mr. Simpson. Confirmation approved by the yeas of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

**Notices, Communications and Petitions:**

There were none.

**Unfinished Business:**

There was none.

**Introduction of Visitors:**

There were none.

**Introduction and Consideration of Ordinances and Resolutions:**

**Ord. 1-17:**

**An Ordinance amending Section 509.08 (B) of the codified ordinances of the City of Medina, Ohio relative to Curfew.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 001-17, seconded by Mr. Simpson. Mr. Huber stated this ordinance pertains to the curfew requirements. We had a curfew ordinance in place that prohibits any minor 18 years of age or younger from being in a public place after 11 p.m. The inflexibility of the ordinance came into question in part as a result of the First Night gathering that was organized this year. There are any number of parents who wanted to bring their minor children with them to a public place after 11 p.m. and our ordinance prohibited it with no clear exception. We incorporated some exceptions into this ordinance that essentially allows for a minor to be in a public place after 11 p.m., if done so with the clear consent of a parent or guardian or person having legal custody. The roll was called and Ordinance/Resolution No. 001-17 passed by the yeas of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

**Ord. 2-17:**

**An Ordinance amending Section 31.02 (E) of the Salaries and Benefits Code of the City of Medina, Ohio relative to the salary schedule for Part-Time Employees of the Medina Community Recreation Center affected by the Ohio Minimum Wage increase.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 002-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 002-17, seconded by Mr. Simpson. Mr. Wright stated this ordinance adjusts the part-time pay rate schedule from the \$8.10 an hour to the new rate of \$8.15 an hour affecting only the RC-1 to RC-A categories. The emergency clause is requested as this is a mandatory increase of all minimum wage employees for 2017. The roll was called on adding the emergency clause and was approved by the yeas of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose. The roll was called and Ordinance/Resolution No. 002-17 passed by the yeas of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

**Ord. 3-17:**

**An Ordinance authorizing the payment of \$30,000.00 to Main Street Medina for the City's 2017 Membership Renewal.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 003-17, seconded by Mr. Simpson. Mayor Hanwell respectfully requests council to authorize the \$30,000 to Main Street Medina, the city is the envy of not only the other cities in Medina County but a lot of cities in the state of Ohio in that our collaborative relationship with Main Street as well as the businesses collaboration is something that makes our downtown as strong and as vibrant as it is and in his mind a key part to the 100% occupancy and waiting list for businesses to get into the downtown that we are experiencing currently and have for the past few years. Mr. Coyne echoed the Mayor's statements and hopes for continued success in the future. The roll was called and Ordinance/Resolution No. 003-17 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

**Res. 4-17:**

**A Resolution authorizing the Mayor to execute the Statement of Responsibility pertaining to the Granger Road Low Head Dam Removal.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 004-17, seconded by Mr. Simpson. Mr. Patton stated council approved an agreement with ODOT to come in and remove the Granger Road low head dam. After the fact ODOT asked that we sign or accept this Statement of Responsibility for the reasons before you. The city has owned this property and dam for over 100 years and it has always been our responsibility and nothing changes with this. The roll was called and Ordinance/Resolution No. 004-17 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

**Ord. 5-17:**

**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. 005-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 005-17, seconded by Mr. Simpson. Mr. Dirham stated the emergency clause is needed because the work has already been completed. The ordinance is to authorize payment to Delta Airport Consultants for work on the transient apron and the appropriations are in place. The roll was called on adding the emergency clause and was approved by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 005-17 passed by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

**Ord. 6-17:**

**An Ordinance establishing a Police Training Fund #152.**

Mr. Shields moved for the adoption of Ordinance/Resolution No. 006-17, seconded by Mr. Simpson. Mr. Dirham states they are going to receive funds from the State Attorney General's office and we need this fund to account for those. The roll was called and Ordinance/Resolution No. 006-17 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

**Ord. 7-17:**

**An Ordinance establishing a Federal Equitable Sharing Program Grant Fund #151.**

Mr. Shields moved for the adoption of Ordinance/Resolution No. 007-17, seconded by Mr. Simpson. Mr. Dirham stated this is to account for funds received from the Federal Department of Justice which is a Federal Grant Fund. The roll was called and Ordinance/Resolution No. 007-17 passed by the yeas of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

**Ord. 8-17:**

**An Ordinance amending Ordinance No. 167-17, passed December 12, 2016.**

**(Amendments to 2017 Budget)** Mr. Shields moved for the adoption of Ordinance/Resolution No. 008-17, seconded by Mr. Simpson. Mr. Dirham explained the need to amend the budget only being a week into the year. These things can't really be anticipated when preparing the budget. The first one is the Police Training which we discussed the fund earlier, it's a grant we will receive. The second one is a pass-through for the Bicentennial hat sales, and we have to appropriate that as the monies come in because we don't know how much will come in. The final one is a pass-through of an insurance settlement. The roll was called and Ordinance/Resolution No. 008-17 passed by the yeas of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

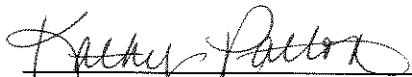
**Council Comments:**

Mr. Lamb expressed his appreciation for the support last Thursday for the premier airing of the Remembering Medina Theatre documentary made with Medina TV. It received tremendous support and response. The money raised from the sale of the DVD's is going towards the restoration of the 2<sup>nd</sup> floor Engine House. Currently they are sold out of the DVD's but are expecting more for purchase at Cool Beans soon. They have scheduled an encore showing at Cool Beans on February 2<sup>nd</sup> at 7 p.m. Tickets are available starting Wednesday morning.

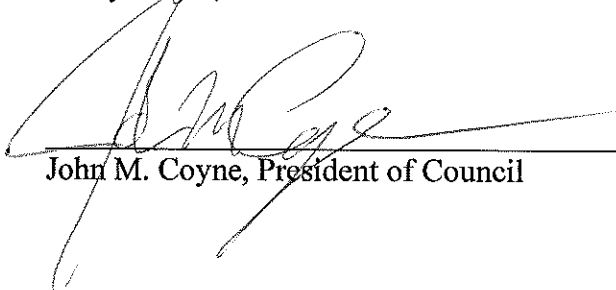
Mr. Rose thanked everyone who helped put together The First Night it was an enjoyable evening and he recommends it be continued.

**Adjournment:**

There being no further business before Council, the meeting adjourned at 7:58 p.m.



Kathy Patton, CMC - Clerk of Council



John M. Coyne, President of Council