

**CITY OF MEDINA  
AGENDA FOR COUNCIL MEETING**

January 8, 2018  
Medina City Hall  
7:30 p.m.

**Public Hearing.**

To consider rezoning the properties at 124 and 126 Harding Street from F-3, High Density Residential to C-3, General Commercial.

**Call to Order.**

**Roll Call.**

**Reading of minutes.** (December 11, 2017 & January 3, 2018 Organizational)

**Reports of standing committees.**

**Requests for council action.**

**Reports of municipal officers.**

**Motion of Council members to authorize designee for public records training.**

Motion to designate Clerk of Council, Kathy Patton to act as the Mayor and Council's designee to attend public records training as required by Sections 149.43 and 109.43 of the Ohio Revised Code.

**Notices, communications and petitions.**

**Liquor Permit:**

Not to object to the transfer of a D1, D2 and D6 permit from Buehler Food Markets Inc. 275 Forest Meadows Dr. to Styx Acquisition LLC, 275 Forest Meadows Dr.

**Liquor Permit:**

Not to object to a new D1 permit to North Rose Management Group LLC, 17 Public Square.

**Unfinished business.**

**Introduction of visitors.**

(speakers limited to 5 min.)

**Introduction and consideration of ordinances and resolutions.**

Ord. 1-18

An Ordinance amending Section 133.01 of the codified ordinances of the City of Medina, Ohio relative to the Director of Law Association Memberships.

Ord. 2-18

An Ordinance authorizing the Mayor to execute an Agreement with the Medina County Combined General Health District to provide Storm Water Runoff Testing Services on behalf of the City of Medina for the City's NPDES Permit.

Res. 3-18

A Resolution requesting the County Auditor to make tax advances during the Year 2018 pursuant to Ohio Revised Code Section 321.34.

Ord. 4-18

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the East Smith Road Reconstruction Project.

Ord. 5-18

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the Champion Creek Multi-Purpose Path and Streetscape Project.

Ord. 6-18

An Ordinance authorizing the expenditure of \$20,000.00 to the Medina County Office of Older Adults for meals and related services for the year 2018.

Ord. 7-18

An Ordinance amending Ordinance No. 177-17, passed December 11, 2017. (Amendments to 2018 Budget).

Ord. 8-18

An Ordinance adopting a Purchasing Card Policy for the City of Medina.  
(subject to Law Director's final approval)

**Council comments.**

**Adjournment.**

**REQUEST FOR COUNCIL ACTION**

FROM: Jonathan Mendel, Community Development Director *OK 11-29-17* Committee: Finance No. RCA 17-214-11/2-7

DATE: November 20, 2017

SUBJECT: November 9, 2017 Planning Commission Recommendation to rezone 124 & 126 Harding Street from R-3, High Density Residential to C-3, General Commercial.

SUMMARY AND BACKGROUND:

On November 9, 2017, the applicant requested rezoning the properties at 124 & 126 Harding Street from R-3, High Density Residential to C-3, General Commercial. After reviewing the applicant's request and staff's analysis, the Planning Commission recommended the requested rezoning to City Council

The above sections and the specific changes are delineated for the City Council in the below attached documents:

- November 9, 2017 Planning Commission recommendation
- November 9, 2017 Planning Commission Draft minutes
- November 9, 2017 staff report & packet

Since a rezoning/map amendment requires a City Council public hearing, staff suggests the following timeline:

- November 27, 2017 – Finance Committee of City Council review
- ~~September~~ November 28, 2017 through December 28, 2017 – City Council public hearing notice period
- January 8, 2018 – City Council public hearing
- January 22, 2018 – City Council ordinance review

Estimated Cost: Not Applicable

Suggested Funding: Sufficient funds in Account No.

Transfer needed from Account No. to Account No.

NEW APPROPRIATION needed in Account No.

Emergency Clause Requested: N/A

Reason:

*Houses will be torn down - Expand Auto dealer.  
Mark - what kind of buffer? take away quality of neighborhood.  
Mark Powers - put in service garage + expand lot.  
Jonathan - Buffer - minimum - 30 ft. 20 ft. accessory  
Lamb - Harding 99% residential  
Jonathan - provided letters to adjacent property owners.*

**COUNCIL USE ONLY:**

Committee Action/Recommendation:

Council Action Taken:

Ord./Res.

Date:

*11/27/17 - Set public Hrg for Jan 8, 2018*

RESOLUTION  
PLANNING COMMISSION

November 20, 2017

Mark & Lisa Powers  
PO Box 729  
Columbia Station, Ohio 44028

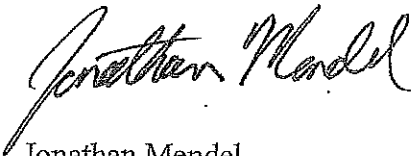
PROPERTY: 124 & 126 Harding Avenue

CASE NO: P17-23

WHEREAS, YOUR APPLICATION WAS DULY PROCESSED AND AFTER  
APPROPRIATE REVIEW AND STUDY THE COMMISSION HAS PASSED THE  
FOLLOWING RESOLUTION:

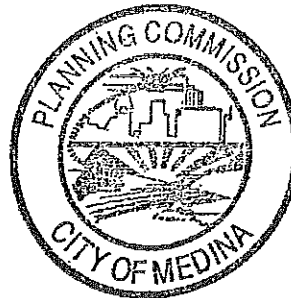
At the November 9, 2017 meeting, the Planning Commission approved a recommendation to City Council to rezone 124 & 126 Harding Street from R-3 to C-3.

Sincerely,



Jonathan Mendel  
Community Development Director

cc: Engineering Department, City of Medina  
Building Department, City of Medina  
Fire Department, City of Medina





## CITY of MEDINA Planning Commission

### Planning Commission Meeting

Draft

Meeting Date: November 9, 2017

Meeting Time: 7:00 pm

Present: Bruce Gold, Paul Rose, Jerry Lash, Rick Grice, Monica Russell, Jonathan Mendel (Community Development Director), Sandy Davis (Administrative Assistant)

Absent: None

The Court Reporter swore in all attendees.

Minutes: Mr. Gold made a motion to approve the minutes from the October 12, 2017 meeting of the Planning Commission as submitted. The motion was seconded by Mr. Grice.

Vote:

Gold	<u>Y</u>
Lash	<u>Y</u>
Rose	<u>abstain</u>
Grice	<u>Y</u>
Russell	<u>abstain</u>
Approved	3-2

Mr. Gold made a motion to approve the minutes from the August 31, 2017 meeting of the Planning Commission as submitted. The motion was seconded by Mr. Lash.

Vote:

Gold	<u>Y</u>
Lash	<u>Y</u>
Rose	<u>Y</u>
Grice	<u>Y</u>
Russell	<u>Y</u>
Approved	5-0

Announcements: Mr. Mendel stated the construction for the project at Court Street and Friendship will be starting immediately. Mr. Mendel stated the permits were issued and they will be starting the footers and foundation shortly.

Mr. Mendel gave a brief overview of the case. Mr. Mendel stated this is a request to rezone the properties at 124 & 126 Harding Street from R-3 Residential to C-3 Commercial.

Mr. Mendel stated the subject site is two platted lots totaling 25,557 sqft (0.59 acre) on the south side of Harding Street just east of the intersection of Harding Street and N. Court Street. Mr. Mendel stated the subject properties are occupied by one single family detached house on each lot.

Mr. Mendel stated the applicant requests rezoning the two lots they own on Harding Street (124 & 126 Harding Street) adjacent to the east of their existing auto sales business property at 790 N. Court Street. Mr. Mendel stated the subject lots are zoned R-3 and the auto sales lot is zoned C-3.

Mr. Mendel stated the applicant wishes to rezone the two residential lots from R-3 to C-3 to permit the expansion of the existing auto sales business onto the subject lots fronting onto Harding Street.

Mr. Mendel stated the subject property is presently zoned R-3 High Density Urban Residential. Mr. Mendel stated the permitted uses include single-family detached dwellings. Mr. Mendel stated the conditionally permitted uses include two-family dwellings, group homes, schools, churches, etc. Mr. Mendel stated commercial and office uses are not permitted in the R-3 zoning district.

Mr. Mendel stated the applicant proposes rezoning the subject properties to C-3 General Commercial. Mr. Mendel stated this zoning district permits a wide range of commercial uses such as office, retail, commercial entertainment and auto sales. Mr. Mendel stated the conditionally permitted uses are a range of uses such as multi-family dwellings, churches, gas stations and restaurants with drive through.

Mr. Mendel stated the applicant provides discussion points to support the request to rezone from R-3 to C-3, which are attached in the packet.

Mr. Mendel stated the Future Land Use map in the Comprehensive Plan Update is a visual guide for future municipal planning and land use within the city. Mr. Mendel stated the map currently designates the subject properties 'Residential Medium Density'.

Mr. Mendel stated the Goals and Objectives of the Comprehensive Plan Update provides specific categories of plan implementation for the community's future. Mr. Mendel stated the most applicable Goals and Objectives for the proposed rezoning are *Demographics and Housing* and *Land Use*. Mr. Mendel stated these goals and objectives provide further detailed direction for rezoning decisions in addition to just the simple Future Land Use Map designation.

Mr. Mendel stated in evaluating the proposed rezoning, the following items must be considered:

- Consistency with the 2007 City of Medina Comprehensive Plan Update – Future Land Use Map and Goals and Objectives
- Consider all possible permitted and conditionally permitted uses in the proposed zoning district and lot development standards.
- Intrusion of commercial development and change of neighborhood land use character

Mr. Mendel stated the City's 2007 Comprehensive Plan Update designates the subject property as 'Residential Medium Density', which is consistent with the designation for the residential areas to the east and south (along Broadway St.) of the subject properties. Alternatively, the north, west and south (along Court St.) of the subject properties are commercially developed properties designated 'Thoroughfare Commercial' and 'Planned Commercial'.

Mr. Mendel stated the subject properties are directly adjacent to an intersection of various land use designations in a highly varied character in the immediate vicinity. Mr. Mendel stated expansion of the commercial area onto the subject properties would not be considered a significant encroachment into a residentially designated area as the subject properties are not amenable to residential occupancy. Mr. Mendel stated this is due to the intensive commercial activity and traffic in the immediate vicinity.

Mr. Mendel stated the Comprehensive Plan's Goals and Objectives have specific objectives that relate to this proposed rezoning. Mr. Mendel stated under the specific goals and objectives, the proposed rezoning is appropriate and consistent with the Comprehensive Plan:

- ***Demographics and Housing***
  - ***DH-3: Support efforts to provide residential and non-residential uses that promote the City as a community where it is possible for families and individuals to live, work, and shop.***
    - ***DH-3E: Maintain and develop attractive commercial areas that are inviting spaces for people to shop***
- ***Land Use***
  - ***LU-5: Support compact and convenient commercial development.***
    - ***LU-5B: Identify additional areas that could accommodate and support commercial and compatible mixed uses.***

Mr. Mendel stated in order to maintain an attractive commercial area (as desired in DH-3E) in this part of the City, the rezoning could allow for the expansion of the applicant's auto sales business. Mr. Mendel stated this will likely be necessary given the reduction to the functionality and suitability of the existing site at the corner of the Harding and N. Court Street due to the ODOT land acquisition as part of the Court Street/Route 42 improvement project. Mr. Mendel stated if the subject properties are not rezoned and added to the existing auto sales property at the corner, the corner property may lose

market suitability on its own and have greater chance of becoming a blight on a prominently visible corner within the City of Medina. Mr. Mendel stated not only may the existing business site become a problem, the houses on the subject properties will continue to underperform as residential properties and could become blighted.

Mr. Mendel stated the subject properties are directly adjacent to the large area of commercially designated, zoned and developed land on the north side of the City of Medina. Mr. Mendel stated as desired by LU-5B above, the subject properties can accommodate and support commercial development that would be compatible with the adjacent mix of uses in the C-3 zoning district and the screening and buffering requirements of the zoning code could mitigate potential negative impacts on adjacent residential properties. Mr. Mendel stated the rezoning and redevelopment of the subject properties will fit with the existing commercial properties.

Mr. Mendel stated Staff recommends the Planning Commission recommend rezoning 124 & 126 Harding Street from R-3 High Density Urban Residential to C-3 General Commercial to the City Council.

Present for the case was the applicant and property owner, Mark Powers, 790 N. Court Street. Mr. Powers stated 790 N. Court Street is his car lot and he has been there for 20+ years. Mr. Powers stated when ODOT took part of the curb in order to allow trucks to make the turn, stated during the appraisal process that they would lose between 5 and 6 spaces and stated that would take them under what is considered a "viable" car lot. Mr. Powers stated luckily he owns the two properties.

Mr. Powers stated he is requesting a zoning change to add some service garage space behind the building. Mr. Powers stated they sub out a lot of their service work and do some in house. Mr. Powers stated the existing garages would be made into a show room. Mr. Powers stated they have done some remodeling over the last few years to get it ready for a show room but find if they do so, they are not able to fix the cars when they need to. Mr. Powers stated if someone purchases a car and comes back in a week and says the check engine light is on, they are going to take care of it and in order to do that, they need to have the ability to service the vehicle. Mr. Powers stated they do not do heavy service work but mostly the reconditioning necessary to get the cars ready for sale and to take care of the customer if they have a concern.

Mr. Powers stated they are requesting the opportunity to expand their business and to try and reduce the negative impact from the ODOT curbing.

Mr. Rose asked if they are positive they need both lots. Mr. Powers stated they would like to be able to do their own service work and when he spoke with Mr. Mendel, Mr. Mendel stated because of the buffer, they would not get a lot of usable space because of the required buffer if just the one lot was rezoned.

Mr. Mendel stated if Mr. Powers were to rezone C-3 and they applied the lot development standards of the C-3 zoning district, the property line between the C-3



zoning and the R-3 zoning going east, the building would need to be setback 75 feet from the south property line. Mr. Mendel stated the building will need to be setback and the activity area would need to be setback from the property line as it goes adjacent to the residential which brings everything closer forward to Harding Street which is a collector street exiting out onto a major arterial. Mr. Mendel stated with just one lot, a building could be built to the lot line into the corner leaving area for outdoor vehicle display to the north. Mr. Mendel stated it would not provide the future value to the community in terms of marketability of the property. Mr. Mendel stated if all 3 lots were connected together, it would create a nice 31,000 sq. ft. lot which provides good usability and ability to be redeveloped for the community in the future.

Mr. Lash asked for other possibilities. Mr. Lash asked if the properties are rezoned and then sold, what other possible types of businesses can go onto the site.

Mr. Mendel stated he summarized in the staff report the uses that would be more impactful to sensitive land uses. Mr. Mendel stated permitted uses are as they are. Mr. Mendel stated motor vehicles sales, motel or hotel, retail stores, vehicle repair, are permitted uses. Mr. Mendel stated you could have a veterinary office or hospital but it would need to be completely enclosed meaning no outdoor kennels.

Mr. Mendel listed the conditionally permitted uses such as multi-family development such as a 3 story apartment building on the site. Mr. Mendel listed other conditional uses but stated they would need to go through the Conditional Zoning review process and be evaluated on the particular nature of that proposal in this specific site.

Mr. Lash stated his other concern is that the corner lot on Broadway and Harding has spent a significant amount of money fixing it up and they are not done yet. Mr. Lash stated he thinks they anticipated there would be residential next to it.

Mr. Mendel stated staff provided notice to adjacent property owners as part of this requirement and he did not get any commentary from that person. Mr. Mendel stated when you get into the development standards of the property, the front and corner would adjust if all three were combined. Mr. Mendel stated the rear yard setback would need to be 30 feet of the principal use or structure from the adjacent property. Mr. Mendel stated the side yard would have 75 setback and at least 25 feet landscaped if adjacent residential area. Mr. Mendel stated the buffering requirements in Chapter 1149 gives the option of a distance buffer with vertical landscaping or a tall fence. Mr. Mendel stated a 6 foot tall fence would need to have landscaping along the outside of it. Mr. Mendel stated that would need to occur along the east and south property lines where it is adjacent to residential properties.

Mr. Grice asked about the dimensions of the lot and the setbacks and stated it does not leave the applicant with a lot of room. Mr. Powers stated the goal is to construct a 4 or 5 stall garage so having that as a buffer area allows for most of the building to go onto the first piece of property while allowing some driveway and then the buffering would be on the second property. Mr. Mendel stated for the rear yard, it could be pavement up to the

screening or buffering. Mr. Mendel stated in the C-3 zoning district there is no required front yard setback. Mr. Grice stated the building setback line where it joins residential in the front, is there any required setback. Mr. Mendel stated no.

Mr. Grice stated the east edge of the first lot lines up with the commercial. Mr. Grice states the second lot does not line up.

Mr. Gold asked for comments on the case. Reverend Brown was present and stated he received a letter for the meeting and was only here to listen and observe the process. Mr. Brown stated he has no questions.

Mr. Gold made a motion to approve a recommendation to City Council to rezone 124 & 126 Harding Street from R-3 to C-3.

The motion was seconded by Mr. Rose.

Vote:	
Gold	<u>Y</u>
Lash	<u>Y</u>
Rose	<u>Y</u>
Grice	<u>Y</u>
Russell	<u>Y</u>
Approved	5-0

Having no further business, the meeting was adjourned.

Respectfully submitted,

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Sandy Davis

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Rick Grice, Chairman



**CITY of MEDINA**  
**Planning Commission**  
**November 9, 2017 Meeting**

**Case No:** P17-23  
**Address:** 124 & 126 Harding Street  
**Applicant:** Mark & Lisa Powers  
**Subject:** Rezone 124 & 126 Harding Street from R-3 to C-3  
**Submitted by:** Jonathan Mendel, Community Development Director *Jm*

**Subject Site:**

The subject site is two platted lots totaling 25,557 sqft (0.59 acre) on the south side of Harding Street just east of the intersection of Harding Street and N. Court Street. The subject properties are occupied by one single family detached house on each lot.

**Project Introduction:**

The applicant requests rezoning the two lots they own on Harding Street (124 & 126 Harding Street) adjacent to the east of their existing auto sales business property at 790 N. Court Street. The subject lots are zoned R-3 and the auto sales lot is zoned C-3.

The applicant wishes to rezone the two residential lots from R-3 to C-3 to permit the expansion of the existing auto sales business onto the subject lots fronting onto Harding Street.

Please find attached to this report:

1. Applicant's narrative in support of the rezoning
2. Current City of Medina Zoning Map
3. Future-Land Use map from the City of Medina 2007 Comprehensive Plan Update and a detail of the subject property's immediate vicinity on the map
4. City of Medina C-3 (Chapter 1137) zoning district regulations
5. Aerial photograph with City of Medina Zoning Districts overlay.

**Present Zoning:**

The subject property is presently zoned R-3 High Density Urban Residential. The permitted uses include single-family detached dwellings. The conditionally permitted uses include two-family dwellings, group homes, schools, churches, etc. Commercial and office uses are not permitted in the R-3 zoning district.

**Proposed Zoning:**

The applicant proposes rezoning the subject properties to C-3 General Commercial. This zoning district permits a wide range of commercial uses such as office, retail, commercial entertainment and auto sales. The conditionally permitted uses are a range of uses such as multi-family dwellings, churches, gas stations and restaurants with drive through.

The applicant provides discussion points to support the request to rezone from R-3 to C-3, which are attached in the packet.

**2007 City of Medina Comprehensive Plan Update – Future Land Use Map**

The Future Land Use map in the Comprehensive Plan Update is a visual guide for future municipal planning and land use within the city. The map currently designates the subject properties 'Residential Medium Density'.

**2007 City of Medina Comprehensive Plan Update – Goals and Objectives**

The Goals and Objectives of the Comprehensive Plan Update provides specific categories of plan implementation for the community's future. The most applicable Goals and Objectives for the proposed rezoning are *Demographics and Housing* and *Land Use*. These goals and objectives provide further detailed direction for rezoning decisions in addition to just the simple Future Land Use Map designation.

**Staff Comment:**

In evaluating the proposed rezoning, the following items must be considered:

- Consistency with the 2007 City of Medina Comprehensive Plan Update – Future Land Use Map and Goals and Objectives
- Consider all possible permitted and conditionally permitted uses in the proposed zoning district and lot development standards.
- Intrusion of commercial development and change of neighborhood land use character

The City's 2007 Comprehensive Plan Update designates the subject property as 'Residential Medium Density', which is consistent with the designation for the residential areas to the east and south (along Broadway St.) of the subject properties. Alternatively, the north, west and south (along Court St.) of the subject properties are commercially developed properties designated 'Thoroughfare Commercial' and 'Planned Commercial'.

Therefore, the subject properties are directly adjacent to an intersection of various land use designations in a highly varied character in the immediate vicinity. Expansion of the commercial area onto the subject properties would not be considered a significant encroachment into a residentially designated area as the subject properties are not

amenable to residential occupancy. This is due to the intensive commercial activity and traffic in the immediate vicinity.

The Comprehensive Plan's Goals and Objectives have specific objectives that relate to this proposed rezoning. Under the following specific goals and objectives, the proposed rezoning is appropriate and consistent with the Comprehensive Plan:

- ***Demographics and Housing***
  - ***DH-3: Support efforts to provide residential and non-residential uses that promote the City as a community where it is possible for families and individuals to live, work, and shop.***
    - ***DH-3E: Maintain and develop attractive commercial areas that are inviting spaces for people to shop***
- ***Land Use***
  - ***LU-5: Support compact and convenient commercial development.***
    - ***LU-5B: Identify additional areas that could accommodate and support commercial and compatible mixed uses.***

In order to maintain an attractive commercial area (as desired in DH-3E) in this part of the City, the rezoning could allow for the expansion of the applicant's auto sales business. This will likely be necessary given the reduction to the functionality and suitability of the existing site at the corner of the Harding and N. Court Street due to the ODOT land acquisition as part of the Court Street/Route 42 improvement project. If the subject properties are not rezoned and added to the existing auto sales property at the corner, the corner property may lose market suitability on its own and have greater chance of becoming a blight on a prominently visible corner within the City of Medina. Not only may the existing business site become a problem, the houses on the subject properties will continue to underperform as residential properties and could become blighted.

The subject properties are directly adjacent to the large area of commercially designated, zoned and developed land on the north side of the City of Medina. As desired by LU-5B above, the subject properties can accommodate and support commercial development that would be compatible with the adjacent mix of uses in the C-3 zoning district and the screening and buffering requirements of the zoning code could mitigate potential negative impacts on adjacent residential properties. The rezoning and redevelopment of the subject properties will fit with the existing commercial properties.

**Recommendation:**

Staff recommends the Planning Commission recommend rezoning 124 & 126 Harding Street from R-3 High Density Urban Residential to C-3 General Commercial to the City Council.

# Applicant's narrative in support of the rezoning

From the desk of  
**Mark & Lisa Powers**

PO Box 729  
Columbia Station OH 44028  
216-210-9318

October 19, 2017

City Of Medina, Planning Department  
132 N. Elmwood Ave.  
Medina OH 44256

Attn: Jonathan Mendell, Director of Community Development

Dears Sir(s),

We appreciate the opportunity to come before the zoning board with our request for re-zoning on the two parcels of land we have owned for a long period of time located on Harding Street and noted on the survey done by Cunningham and Associates here in Medina.

As noted in our initial letter, we also own the corner lot located at 790 North Court Street and have owned this since 1998. Since 1991 we have operated the used car lot known as Towne Auto Sales at this location.


Over the last few years we have noticed that since the houses at 124/126 Harding were surrounded by mostly commercial zoned properties, they have not been as easily rented and the rental rates have dropped and have not increased as they should.

Last year when negotiating with ODOT on the taking of some of the parts of the parcels of the above three mentioned units, it was noted that losing the 7 spaces plus would essentially deem the 790 North Court Street parcel as unusable as a car lot as the lost area, in their opinion, would not be enough space to continue doing business at the current levels. Based on the finding in this ODOT appraisal, we are respectfully requesting that the city allow the rezoning of the 124/126 Harding Street parcels to accommodate a larger building for Towne Auto Sales that would encompass the ability to recondition and service cars on site and use the original structure as showroom (obviously for many of the old cars we have been selling!) in addition to additional lot age for other display cars.

In closing, we thank you for the consideration as we feel this will allow us to keep this corner an updated and trending location.

Sincerely,

  
Mark Powers

  
Lisa Powers

RECEIVED  
OCT 19 2017

BY: .....

**ZONING DISTRICT LEGEND**  
 C-3  
 GENERAL COMMERCIAL  
 R-3  
 HIGH DENSITY URBAN RESIDENTIAL

**RECEIVED**  
 OCT 19 2017

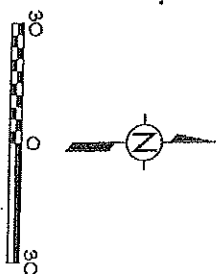
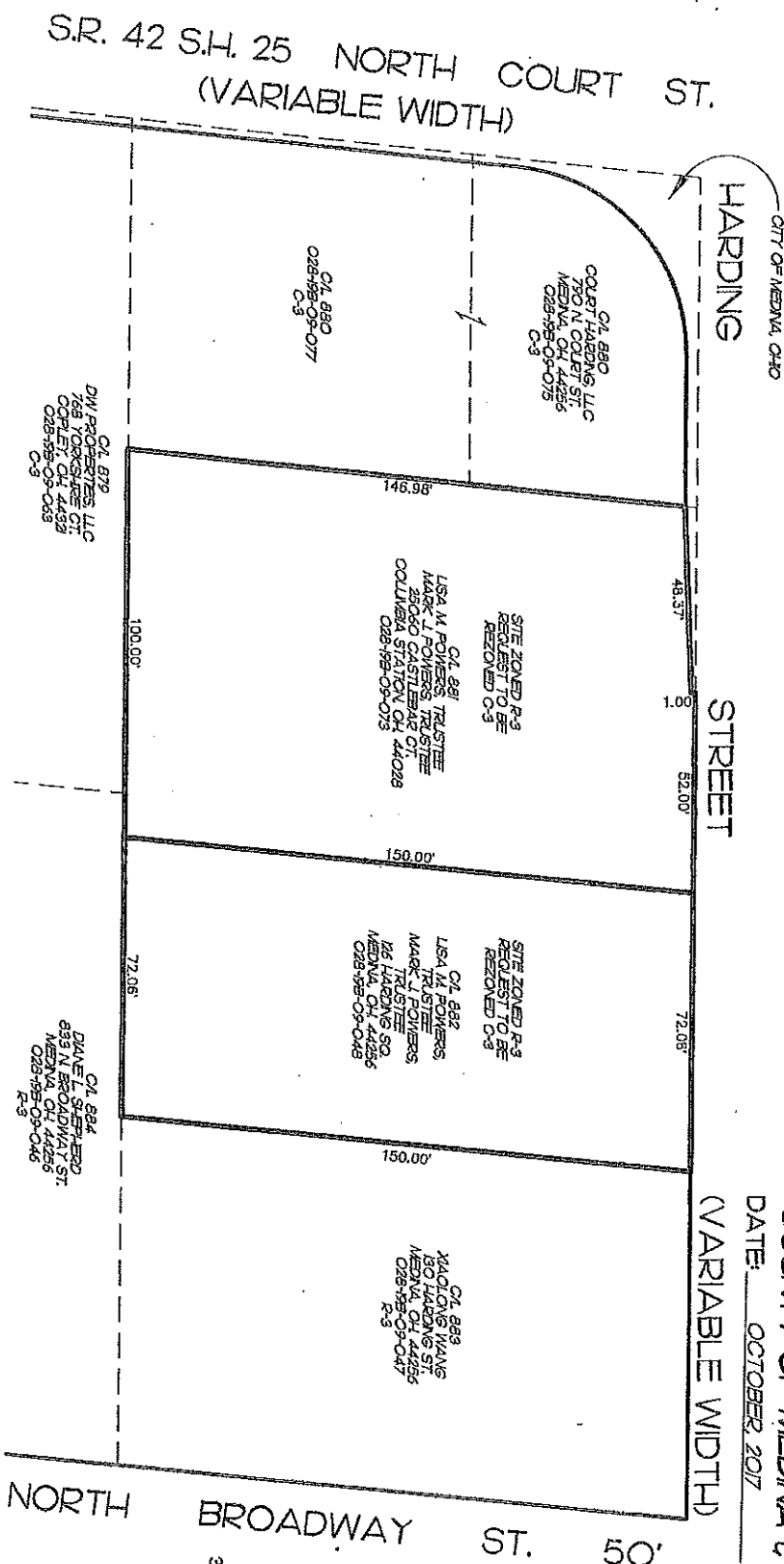
**MAP TO ACCOMPANY  
 REZONING APPLICATION**

CITY: MEDINA C/L NO: 881 & 882

PROP OWNER: LISA M. POWERS, TRUSTEE  
 MARK J. POWERS, TRUSTEE

COUNTY OF MEDINA & STATE OF OHIO  
 DATE: OCTOBER, 2017 SCALE: 1" = 30'

(VARIABLE WIDTH)



**CUNNINGHAM & ASSOC. INC.**  
 CIVIL ENGINEERING & SURVEYING  
 203 W. LIBERTY ST. MEDINA, OH 44256  
 TELEPHONE (330) 725-5980  
 PROJECT NO. 17-179



**REZONING DESCRIPTION  
MEDINA CITY LOT 881  
PROJECT NO. 17-179**

Situated in the City of Medina, County of Medina, State of Ohio and known as being Medina City Lot 881 further bounded and described as follows:

Beginning at the northwest corner of said City Lot 881 being the northeast corner of Medina City Lot 880 being in the south right-of-way of Harding Street (variable width), said point being the principal place of beginning of the parcel described herein;

Thence easterly 48.37 feet along the north line of said City Lot 881 and the south right-of-way of said Harding Street to an angle point therein;

Thence northerly 1.00 feet along a west line of said City Lot 881 and the south right-of-way of said Harding Street to an angle point therein;

Thence easterly 52.00 feet along the north line of said City Lot 881 and the south right-of-way of said Harding Street to the northeast corner of said City Lot 881 being the northwest corner of Medina City Lot 882;

Thence southerly 150.00 feet along the east line of said City Lot 881 and the west line of said City Lot 882 to the southeast corner of said City Lot 881 and the southwest corner of said City Lot 882 being in the north line Medina City Lot 884;

Thence westerly 100.00 feet along the south line of said City Lot 881 and the north line of said City Lot 884 and the north line of Medina City Lot 879 to the southwest corner of said City Lot 881 being the southeast corner of said City Lot 880;

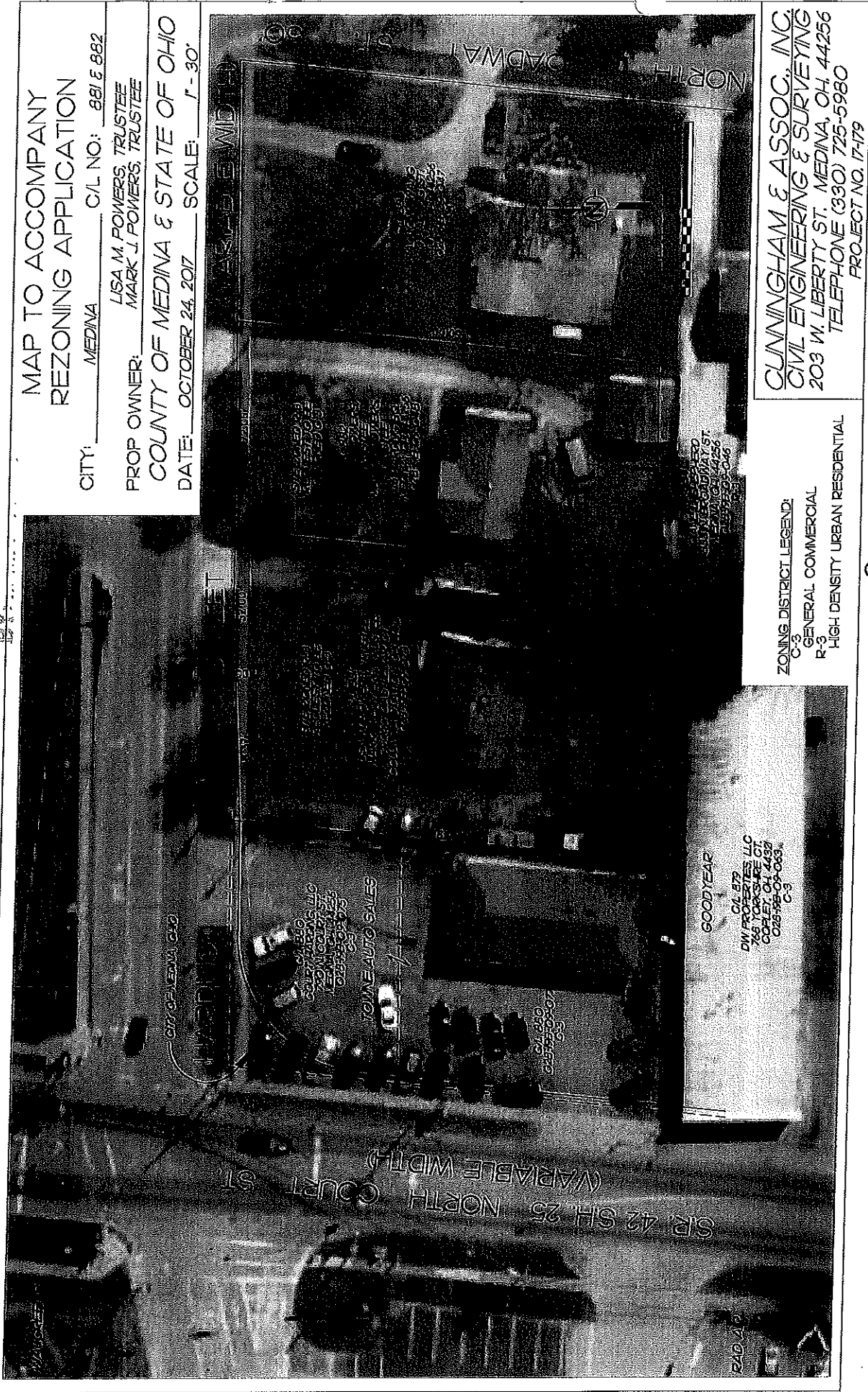
Thence northerly 146.98 feet along the west line of said City Lot 881 and the east line of said City Lot 880 to the principal place of beginning.

**RECEIVED**  
OCT 19 2017

BY: .....

RECEIVED  
OCT 25 2017

BY



# MAP TO ACCOMPANY REZONING APPLICATION

CITY: MEDINA C/L NO: 881 E 882

PROP OWNER: LISA M. POWERS, TRUSTEE  
MARK J. POWERS, TRUSTEE

COUNTY OF MEDINA & STATE OF OHIO

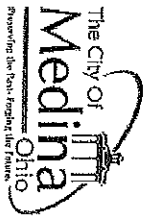
DATE: OCTOBER 24, 2017 SCALE: 1" = 30'

ZONING DISTRICT LEGEND:  
C-3 GENERAL COMMERCIAL  
R-3 HIGH DENSITY URBAN RESIDENTIAL

CUNNINGHAM & ASSOC., INC.  
CIVIL ENGINEERING & SURVEYING  
203 W. LIBERTY ST. MEDINA, OH, 44256  
TELEPHONE (330) 725-5980  
PROJECT NO. 17-179

PROPOSED NEW APPLICATIONS  
EXISTING TOWN & AUTO

# Current City of Medina Zoning Map



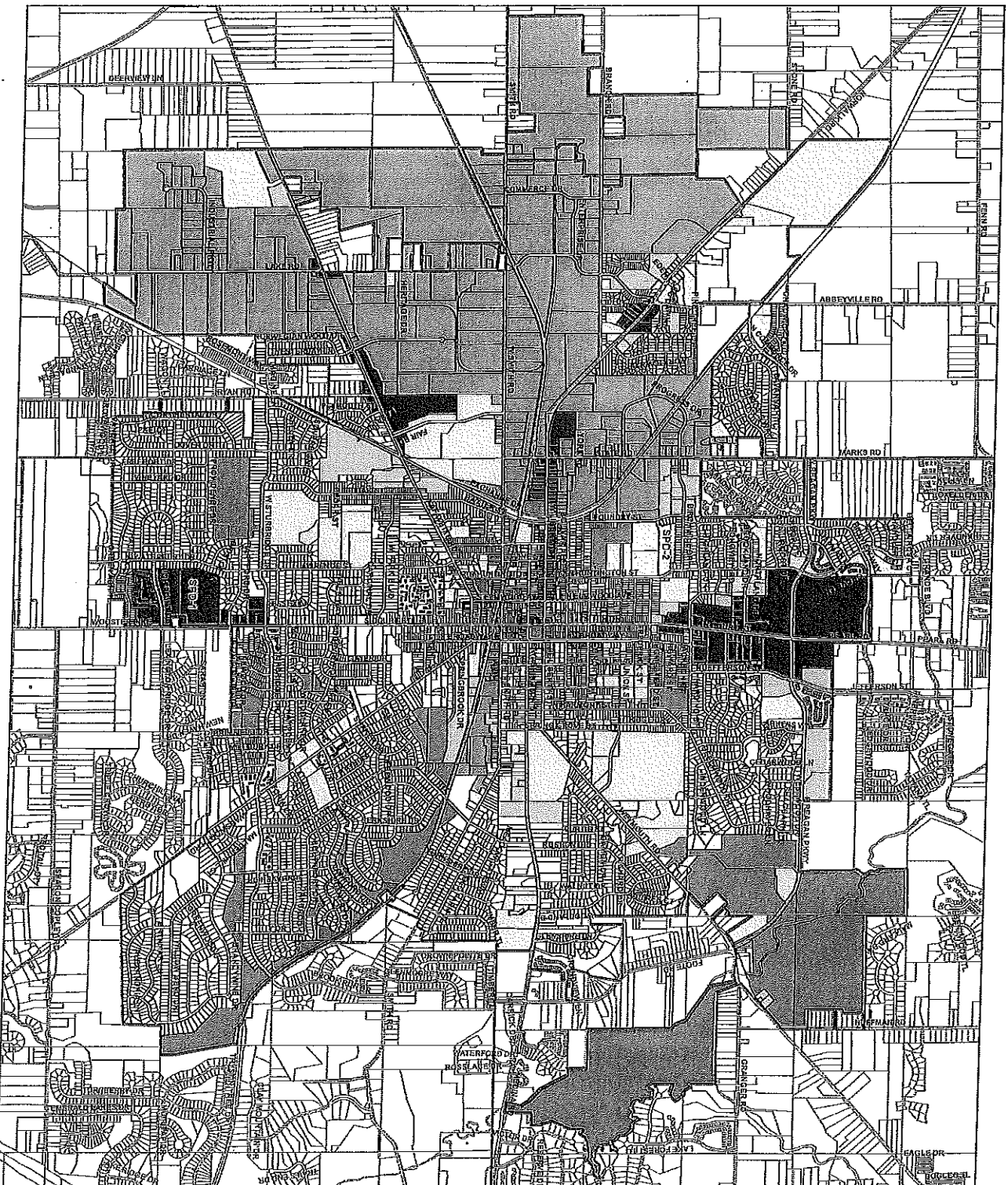
# Zoning

## District Map

Effective December 29, 2016 (Ord. 163-16)

Legend	
	City Boundary
	O-C Open Space Conservation
	R-1 Low Density Urban Residential
	R-2 Medium Density Urban Residential
	R-3 High Density Urban Residential
	R-4 Multi-Family Residential
	M-U Multi-Use
	P-F Public Facilities
	C-S Commercial Service
	C-1 Local Commercial
	C-2 Central Business
	C-3 General Commercial
	I-1 Industrial

**Note:**  
This map is updated frequently and may not represent the most current information. To ensure accurate information contact the City of Medina at 330-764-6552.  
The lot lines of this map are representative of the actual lot lines and are not intended to be substituted for an official survey or used to resolve boundary or area issues. Secure a survey, consult County records or the City Clerk of Council records for dimensions and areas of lots and boundaries.  
Prepared by City of Medina  
Community Development Department  
March 15, 2017



Future Land Use map from  
the City of Medina 2007  
Comprehensive Plan Update  
and a detail of the subject  
property's immediate  
vicinity on the map

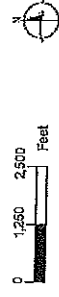
# Map 8 Future Land Use

11/15/2006

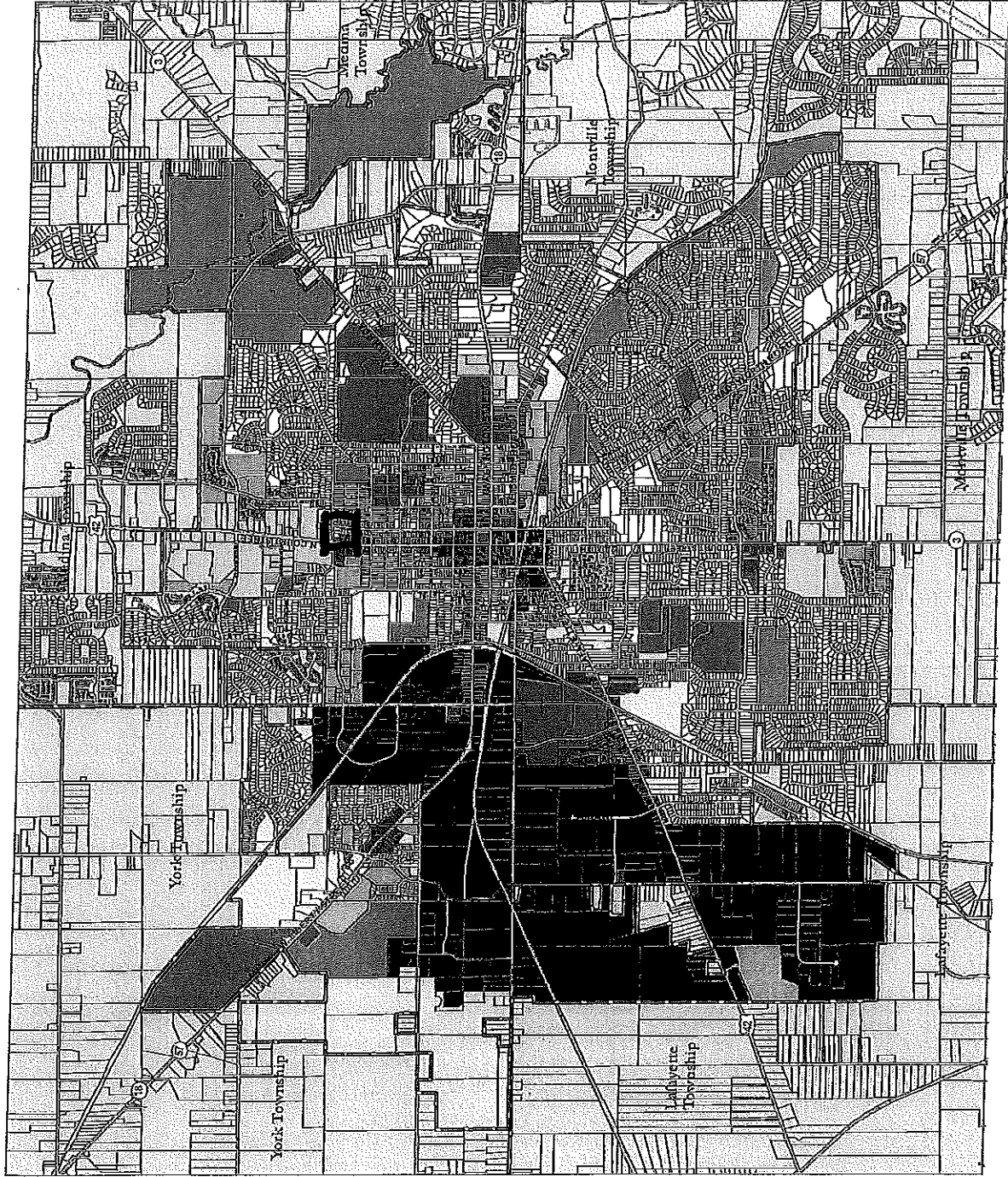
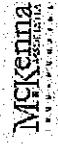
City of Medina, Ohio

## Future Land Use

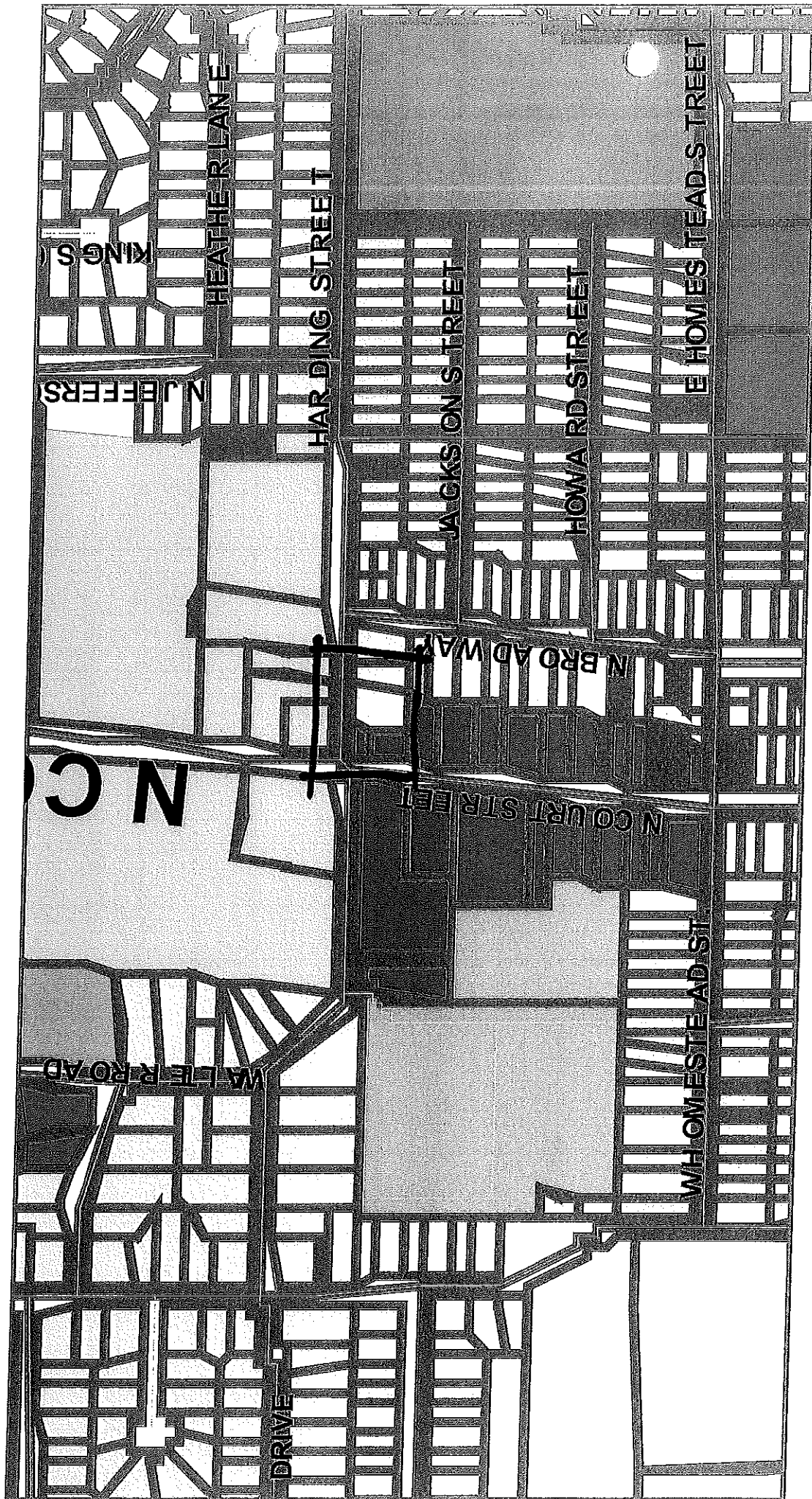
- Residential Low Density
- Residential Medium Density
- Residential High Density
- Mixed Use
- Central Business District
- Thoroughfare Commercial
- Planned Commercial
- Restricted Office
- Office / Technology
- Light Industrial
- General Industrial
- Public Facilities
- Conservation / Recreation
- Municipal Boundary
- Township Boundary
- Surrounding Area



Base Map Source: Medina County GIS, 2005  
Data Source: McKenna, Incorporated, Interpretation, 2004







City of Medina C-3 (Chapter  
1137) zoning district  
regulations



### 1137.01 PURPOSE.

The C-3 General Commercial District is established to provide for uses in addition to those specified for the local and commercial Retail Office District, and thereby provide service and sales in support of the primary business activities in the community. This District includes activities which because of their nature, such as their tendency to encourage traffic congestion and parking problems, storage problems or certain other inherent dangers, that create special problems, are, therefore, best distinguished from other commercial activity. Their location is advantageous at specified points on major thoroughfares at outlying locations in the community. (Ord. 109-14. Passed 6-23-14.)

### 1137.02 PRINCIPALLY PERMITTED USES.

The following uses shall be permitted in the C-3 General Commercial District:

Residential	Public/Semi-Public	Commercial
• None	• Club, Lodge or Fraternal Organization	• Bar or Tavern
	• Passenger Transportation Agency and Terminal	• Commercial Entertainment
		• Commercial Recreation
		• Convenience Retail
		• Drive-In Establishments including Restaurants and Theaters
		• Heavy Duty Repair Services for Machinery and Equipment Including Repair Garages and Specialty Establishments including Motor, Body, Fender, Radiator Work.
		• Hotel or Motel
		• Mixed Use Building - Residential Excluded from Ground Level Floor
		• Motor Vehicle Truck, Trailer and Farm Implement Sales, Rental or Leasing - New or Used
		• Motor Vehicle, Truck, Trailer and Farm Implements Repair, Service and Storage (Excluding Body Work, Painting and Engine Work)
		• Off-Street Parking Lot, Garage or Deck
		• Office - Professional, Medical and Administrative
		• Other Similar Uses as Determined by the Planning Commission
		• Personal and Professional Services
		• Plant Greenhouse
		• Restaurant
		• Retail less than 80,000 square feet in size
		• Veterinary Office or Hospital in

	Enclosed Building
	• Wholesale Establishments

(Ord. 109-14. Passed 6-23-14.)

### 1137.03 ACCESSORY USES.

The following uses shall be permitted as accessory uses in the C-3 General Commercial District:

- (a) Accessory buildings and uses.
- (b) Car Wash.

(Ord. 109-14. Passed 6-23-14.)

### 1137.04 CONDITIONALLY PERMITTED USES.

The following uses shall be permitted as conditionally permitted uses in the C-3 General Commercial District subject to the requirements of Chapter 1153, Conditional Uses. Numerical identification after each item corresponds to specific standards in Section 1153.04, Conditionally Permitted Use Regulations.

Residential	Public/Semi-Public	Commercial
• Multi-Family Dwelling	• Conservation Use	• Car Wash
• Transitional Housing <sup>7,24</sup>	• Educational Institution for Higher Education	• Child Day Care Center and Nursery 2,5,9,11,14
	• Publicly Owned or Operated Governmental Facility 3,7,8,11	• Conference Center, Banquet Facility or Meeting Hall 1,3,7,11,12,14
	• Public Utility 1,10,11	• Cremation Facility
	• Religious Place of Worship 1,3,7,11,12,14	• Hospital 1,2,3,5,7,9,11,14
	• Wireless Telecommunications Facility	
		• Motor Vehicle Filling Station with or without Convenience Retail 5,7,17,29,31
		• Open Air Building materials Sales and Lumber Yard
		• Outdoor Dining
		• Personal and Professional Services with Drive-Thru
		• Research and Development Laboratory and Processing with No External Hazardous, Noxious or Offensive Conditions
		• Restaurant with Drive-Thru or Drive In
		• Retail larger than 80,000 square feet in size

	• Sexually Oriented Business 36
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(Ord. 009-17. Passed 1-23-17.)

### **1137.05 LOT DEVELOPMENT STANDARDS.**

Lots in the C-3 General Commercial District shall adhere to the following standards:

Minimum Lot Size	• None
Minimum Lot Width at Building Line	• None
Minimum Lot Frontage	• 40 Feet
Maximum Lot Depth	• None
Minimum Usable Open Space	• None
Maximum Lot Coverage	• None
Maximum Building Size	• None
Maximum Building Width	• None
Minimum Front Yard	• None
Minimum Rear Yard	• 30 Feet for Principal Use or Structure • 20 Feet for Accessory Use or Structure
Minimum Side Yard	• None • 75 Feet for Principal Uses when Adjacent to a Residential District • When Adjacent to a Residential District, at least 25 Feet shall be Landscaped for Screening Purposes • 20 Feet for Accessory Use or Structure
Maximum Height	• 40 Feet for Principal Use or Structure • 20 Feet for Accessory Use or Structure
Minimum District Size	• n/a

(Ord. 109-14. Passed 6-23-14.)

### **1137.06 OFF-STREET PARKING AND LOADING.**

Off-street parking and loading shall be regulated pursuant to Chapter 1145, Off-Street Parking and Loading.

(Ord. 109-14. Passed 6-23-14.)

### **1137.07 SIGNAGE.**

Signage shall be regulated pursuant to Chapter 1147, Signs.

(Ord. 109-14. Passed 6-23-14.)

### **1137.08 LANDSCAPE AND BUFFERING.**

Landscape and buffering shall be regulated pursuant to Chapter 1149, Screening and Landscaping.

(Ord. 109-14. Passed 6-23-14.)

### **1137.09 ADDITIONAL STANDARDS.**

In addition to the site plan review standards in Section 1109.02(c), the Planning Commission's review and action on site plans in the C-3 General Commercial District shall also be based on the following standards:

- (a) Curb cuts, internal drives, parking areas and pedestrian walkways shall be arranged to promote safe and efficient movement within the site, between adjacent sites, and between the site and the adjacent thoroughfare system.
- (b) The number and location of openings from the site to adjacent thoroughfares shall be designed to maintain the traffic movement function of arterials.

(c) The overall development concept shall reflect the intent and recommendations of applicable comprehensive plans and thoroughfare plans adopted by the City.

(d) Service areas, refuse storage areas and other such areas shall be fully screened from view within the commercial development and from adjacent development. The site plan shall indicate a separation of service traffic from customer traffic.

(e) Parking lots for shopping centers and other large commercial uses shall include trees or other planting's (in wells located not to interfere with vehicle movement and snow removal) to provide visual relief and an attractive parking area.

(Ord. 109-14. Passed 6-23-14.)

#### **1137.10 MULTI-FAMILY USE REQUIREMENTS.**

When multiple-family uses are permitted within a C-3 General Commercial District, such uses should be located to provide transition areas between intensely developed commercial areas and single-family use areas. Multiple-family uses within the C-3 General Commercial District shall conform to all applicable requirements of the R-4 District, including the density limitation in Section 1127.05, R-4 Lot Development Standards, the height limitation in Section 1127.05 and the conditional use requirements listed in Section 1153.04 (a) (5), (11), (16), (27), (28), (29).

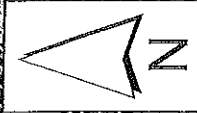
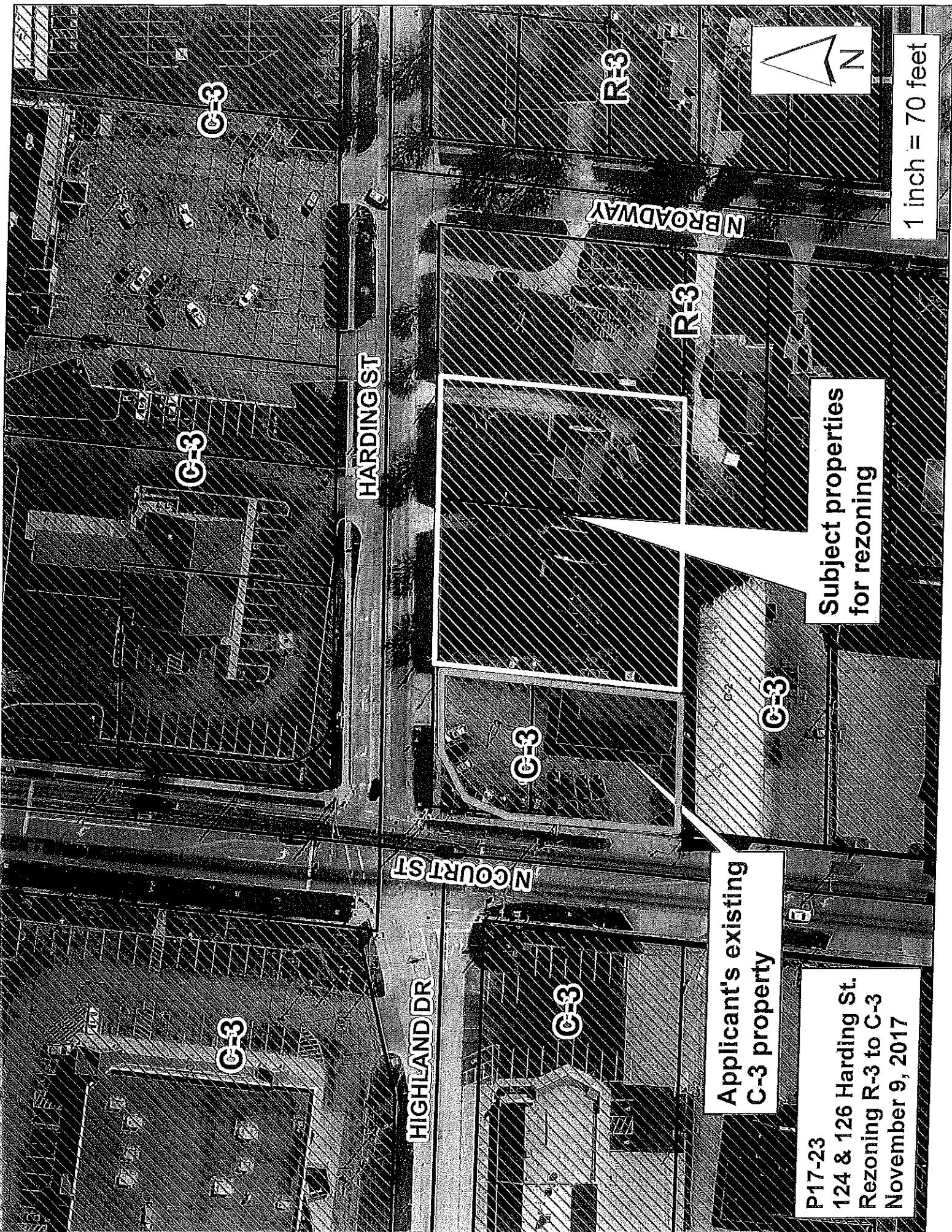
(Ord. 58-17. Passed 4-24-17.)

#### **1137.11 PEDESTRIAN CONNECTION.**

Where a sidewalk exists in a public right-of-way adjacent to a site, or when a sidewalk is required to be constructed as part of development approval, a pedestrian connection shall be constructed from the building to the public sidewalk.

(Ord. 109-14. Passed 6-23-14.)

Aerial photograph with City  
of Medina Zoning Districts  
overlay.



1 inch = 70 feet

Subject properties  
for rezoning

Applicant's existing  
C-3 property

P17-23  
124 & 126 Harding St.  
Rezoning R-3 to C-3  
November 9, 2017

MEDINA CITY COUNCIL  
Monday, December 11th, 2017

**Opening:**

Medina City Council met in regular, open session on Monday, December 11th, 2017. The meeting was called to order at 7:30 p.m. by President of Council John Coyne. Michael Ross, additional Boy Scouts from Troop 514, and a Girl Scout led the Pledge of Allegiance.

**Roll Call:**

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

Also present were the following members of the Administration: Mayor Dennis Hanwell, Keith Dirham, Greg Huber, Patrick Patton, Nino Piccoli, Jonathan Mendel, Dan Gladish, Kimberly Marshal, Mike Wright, and Jansen Wehrley.

**Minutes:**

Mr. Shields moved that the minutes from the regular meeting on November 27<sup>th</sup>, 2017 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 M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

**Reports of Standing Committees:**

Finance Committee: Mr. Coyne stated they met prior to Council meeting this evening and will not meet again until January 2018.

Health, Safety & Sanitation Committee: Mr. Kolesar had no report but there are a couple items on tonight's agenda.

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb had no report.

Streets & Sidewalks Committee: Mr. Simpson had no report but intends to schedule a meeting in January 2018.

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

Emerging Technologies Committee: Mr. Rose reported he held a meeting last week and reviewed the disaster recovery plan that has been tested and working. They looked at server refresh schedule and they discussed cameras' on the square.

**Requests for Council Action:**

**Finance Committee**

17-221-12/11 – Budget Amendments

17-222-12/11 – Approve Medical Mutual Dental & Life Insurance Benefits

17-223-12/11 – Renew Master Services Agreement w/ Port Authority for Fiber Services

17-224-12/11 – Amend 133.01 Association Memberships – Law Director

17-225-12/11 – Water Rates

17-227-12/11 – Agreement with Health Dept. – Testing Storm Water Runoff

17-228-12/11 – Bids, East Smith Road Reconstruction

Medina City Council  
December 11th, 2017

17-229-12/11 – Bids, Champion Creek Multi-Purpose Path and Streetscape  
17-230-12/11 – City Contribution of Office of Older Adults  
17-231-12/11 – Fund Advances  
17-232-12/11 – Rollover Advances

### **Health, Safety & Sanitation**

17-226-12/11 – Amend S&B – Police Dept. – Remove Sgt. / Add Lieutenant

### **Reports of Municipal Officers:**

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

- 1) Reflection on past year:
  - a. Pool opening- consensus and commitment once decision was made by Council. Well attended by community and establishment of Friends of Memorial Park.
  - b. Numerous industrial expansions, new companies, and senior housing complexes to provide housing alternatives to our growing senior population.
  - c. Positive comments on city processes and helpfulness of staff in above projects.
  - d. Sidewalk expansion program completed and last of industrial road replacements completed.
  - e. Bicentennial kickoff at Candlelight Walk to begin year-long celebration of our 200 year history.
  - f. Blessed.
- 2) Bicentennial Events- Medina Library Saturday, January 13th at 1 pm. – Founders Sunday, January 21st, 2018 1 p.m. to 3 p.m. 1/21/18 Tours of County Courts
- 3) Thanks to Judge Dale Chase for years of service to community.
- 4) Thanks to Councilman Hilberg for his years of service to Medina community.
- 5) Present 50 year Proclamation to Community Design Committee - presented to Michelle Nichols.
- 6) Wish all a very Merry Christmas and safe holiday season!

### **Keith Dirham, Finance Director,**

Statesdwe are switching from CCA to RITA for collection of our income taxes and this will be effective January 1, 2018. If you are making payments or estimated payments on city taxes in December, please continue to make those to CCA those will be forwarded to RITA. The budget and five year plan are being passed at this meeting. Mr. Dirham stated there are some items on the agenda tonight that he will be addressing. He also echoed what the Mayor said to Councilman Hilberg and to Judge Chase.

**Greg Huber, Law Director,** Greg extended his congratulations to Judge Chase on his retirement. He has been a practicing attorney in Judge Chase's court since the time he started as a judge. For the first half, as a defensive attorney, and the second half of his tenor as a prosecuting attorney. The volume of cases Judge Chase has presided on is beyond his ability to describe, there were thousands and thousands of cases every year. What he has seen on both sides of the isle is a judge who has been thoughtful, kind, and good hearted in the decisions that he has made for all the people



that he has seen as an attorney in his court. We've been benefited by a judge who goes beyond the legal arguments presented by the attorneys, and does his own work frequently finding solutions that are beyond what the attorneys presented. Mr. Huber stated it has been his privilege to serve under him and he will miss him.

**Chief Kinney, Police Chief**, reported this weekend is the annual Shop with a Cop event. They will travel to Blue Heron where they will have breakfast and a short parade that will go through the City of Medina coming across Rt. 162 straight up Court Street to Walmart where we will shop with the children and then return back for lunch. Chief Kinney congratulated Judge Chase on his retirement on behalf of the Police Department. He said he has always been a gracious judge, even when at 3 a.m., when he was sitting at his kitchen table waiting for a search warrant. He thanked Mr. Hilberg for his service to the city as well as his dedication to the ward he serves.

**Kimberly Marshall, Economic Development Director**, reported this Friday, December 15<sup>th</sup> the City of Medina, along with Main Street Medina and the Medina Chamber of Commerce will officially welcome four new businesses into the city with their Grand Opening Ribbon Cuttings. JT's Barbeque restaurant at 930 West Liberty St. 10 a.m. Then at 11 a.m. Nibble, at 102 West Washington Street, then following at 3 p.m. DeVita Dialysis 740 N. Court St., and finally at 4 p.m. is Emi's Tacos located at 249 Lafayette Rd. Kimberly echoed congratulations to Judge Chase and thanked Brian for his service to Ward 1.

**Jonathon Mendel, Planning Community Director**, Jonathon echoed congratulations to Judge Chase and thanked Brian for his service to Ward 1.

**Mike Wright, Recreation Center Director**, reported the Rec Advisory's last meeting of the year is Thursday, December 21<sup>st</sup> at 7:30 a.m. at the Rec Center. Mike also extended congratulations to Judge Chase and thanked Brian for his service to Ward 1.

**Jansen Wehrley, Parks and Recreation Director**, Jansen also wished congratulations to Judge Chase and thanked Brian for his service to Ward 1.

**Dan Gladish, Building Official**, had no report, but echoed the same to Judge Chase and thanked Brian Hilberg.

**Patrick Patton, City Engineer**, Stated the West Smith Bridge looks to be the first part of next week before that will be open. Patrick congratulated Judge Chase and thanked Brian stating he will be missed.

**Nino Piccoli, Service Director**, Acknowledged Judge Chases 30 plus years to the community. He stated it was a pleasure working with Brian Hilberg.

#### **Notices, Communications and Petitions:**

Council Presentation to Judge Dale H. Chase on His Retirement – President of Council John Coyne presented the judge with a plaque thanking him for his years of service to the community.

**Unfinished Business:**

There was none.

**Introduction of Visitors:**

Mark Williams, a resident and business owner in Ward 1. He is speaking tonight to recognize two outgoing officials here within the city. The honorable Judge Dale Chase and Councilman Brian Hilberg, both have been of utmost service to the city and done what he considers to be real measurable good for our city and for Ward 1 specifically. He thanked them both for their accomplishments and thanked them for their service.

Valerie Freeman is a resident of Ward 1, she expressed the opportunity to work with Brian and what a pleasure it was. She thanked him for all he did in Ward 1, especially for the park.

Ashley Powel is a resident of Ward 1, she attends 2<sup>nd</sup> Baptist Church located in Ward 1, and wanted to thank Brian Hilberg for the numerous things he has done for the church. Whenever we had any kind of event, he was right there supporting us. She stated when it comes to Brian it's not just politics, he is such a good hearted and kind person and has served his ward well.

Chuck Calvert resides at 120 North Cliff, stated he has known Brian a very long time and could tell you some stories.

Mary Hilberg resides at 246 West Homestead, thanked Judge Chase for his many years of service to the community. Mary thanked her husband for his years of service as a Councilman to Ward 1. It's bitter sweet because she gets more time with Brian now at home with the family now.

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

**Res. 176-17**

**A Resolution congratulating Michael Ross on attaining the rank of Eagle Scout.** Mr. Coyne commended Michael Ross for his outstanding contribution to his community and Boy Scout Troop 514 and for obtaining the prestigious rank of Eagle Scout. Mr. Shields moved for the adoption of Ordinance/Resolution No. 176-17, seconded by Mr. Simpson. The roll was called and Ordinance/Resolution No. 176-17 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

**Ord. 177-17**

**An Ordinance to make appropriations for current expenses and other expenditures of the City of Medina, Ohio for the fiscal year ending December 31, 2018.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 177-17, seconded by Mr. Simpson. Mr. Dirham stated this has been a long process coming. Mr. Coyne appreciates the hard work of the Department Heads, the Mayor, and City Council. He stated it is a process different from most communities, as it is a five year budget plan. The roll was called and Ordinance/Resolution No. 177-17 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

**Res. 178-17**

**A Resolution adopting a Five-Year Budget for the city of Medina, Ohio for the period beginning January 1, 2018 through December 31, 2022.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 178-17, seconded by Mr. Simpson. Mr. Dirham stated this is the 2018 to 2022 Five Year Plan, the last item was the budget which all governments in Ohio are required to do. The roll was called and Ordinance/Resolution No. 178-17 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

**Ord. 179-17**

**An Ordinance authorizing the purchase of three (3) 2018 Ford K8A All Wheel Drive Police Interceptors and one (1) 2017 Ford Fusion from Lebanon Ford for the Police Department and Detective Bureau.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 179-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 179-17, seconded by Mr. Simpson. Chief Kinney stated they have not purchased vehicles since 2015, and their intent here is to get these vehicles up and running so they can maintain a proper rotation and maintenance schedule of the vehicles. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson. The roll was called and Ordinance/Resolution No. 179-17 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

**Ord. 180-17**

**An Ordinance authorizing the expenditure of not to exceed \$30,000.00 to Hall Public Safety Co. for the up-fitting of three (3) Police Interceptors for the Police Department.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 180-17, seconded by Mr. Simpson. Chief Kinney explained this is for the vendor who will outfit the three new vehicles. The roll was called and Ordinance/Resolution No. 180-17 passed by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

**Res. 181-17**

**A Resolution authorizing the Mayor to enter into Agreements with the Medina County Commissioners and the Medina County Public Defender Commission so as to provide legal counsel to indigent persons and the Medina County Public Defender Commission so as to provide legal counsel to indigent persons charged with a violation of the City's ordinances.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 181-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 181-17, seconded by Mr. Simpson. Mr. Huber stated this contract is identical to the previous contracts over the years. Emergency clause is requested as the contract needs to take effect by January 1<sup>st</sup>. 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, B. Hilberg, and M. Kolesar. The roll was called and Ordinance/Resolution No. 181-17 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

**Ord. 182-17**

**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. 182-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 182-17, seconded by Mr. Simpson. Mr. Wright stated this is to adopt the MCRC 2018 Part-time Pay Scale adjusted for the mandatory minimum wage increase from \$8.15 to \$8.30 an hour. Emergency is requested as this is a mandatory change. The roll was called on adding the emergency clause and was approved by the yeas votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose. The roll was called and Ordinance/Resolution No. 182-17 passed by the yeas votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

**Ord. 183-17**

**An Ordinance authorizing an expenditure not to exceed \$66,500.00 to Epic Aviation LLC for the purchase of Jet-A-Fuel at the Medina Municipal Airport.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 183-17, seconded by Mr. Simpson. Mr. Dirham stated this is for 2018 fuel, and we need to pass it now so we can buy fuel in January if necessary. The amount is an estimate of what we will spend on Jet-A-Fuel, if the price goes up or we sell more we will have to ask for more money later. The roll was called and Ordinance/Resolution No. 183-17 passed by the yeas votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

**Ord. 184-17**

**An Ordinance amending Sections 943.04(K) and 943.11, Schedule of Charges and Fees of the Codified Ordinances of the City of Medina, Ohio relative to Interments of Municipal Cemeteries.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 184-17, seconded by Mr. Simpson. Mayor Hanwell stated this will give a little bit of discretion to the Service Director to authorize payment of overtime in certain situations. The roll was called and Ordinance/Resolution No. 184-17 passed by the yeas votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

**Ord. 185-17**

**An Ordinance authorizing the Mayor to enter into a Professional Services Agreement with EMH&T to conduct environmental services for the Champion Creek Multi-Purpose Path.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 185-17, seconded by Mr. Simpson. Mr. Patton stated the city received a Federal Grant for the Champion Creek Project, and as part of that grant, we are required to do an environmental analysis by an ODOT prequalified consultant and that is where EMH&T comes in, as we are recommending them for the work. The roll was called and Ordinance/Resolution No. 185-17 passed by the yeas votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

**Ord. 186-17**

**An Ordinance authorizing the Mayor to enter into Modification #1 to the Engineering Services Agreement with DLZ-Ohio, for engineering and design services for the South Elmwood Bridge Replacement Project.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 186-17, seconded by Mr. Simpson. Mr. Patton stated the bridge replacement is also a grant project. The modification is due to comments received during the

design process to increase the scope of services for DLZ so that they can get the project completed and out to bid in early spring. The roll was called and Ordinance/Resolution No. 186-17 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

**Ord. 187-17**

**An Ordinance amending Ordinance No. 167-16, passed December 12, 2016. (Amendments to 2017 Budget)** Mr. Shields moved for the adoption of Ordinance/Resolution No. 187-17, seconded by Mr. Simpson. Mr. Dirham stated this is an extensive list of appropriation adjustments, this is year end and we have to cover all our expenditures. The roll was called and Ordinance/Resolution No. 187-17 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

**Ord. 188-17**

**An Ordinance authorizing the Mayor to enter into a contract with Medical Mutual of Ohio for Dental and Life Insurance Benefits for the employees of the City of Medina.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 188-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 188-17, seconded by Mr. Simpson. Mayor Hanwell stated this year Medical Mutual offered us a greater than 7% reduction in health insurance benefits, they then had to negotiate the dental and life insurance benefits and the dental remained flat for 2 years in a row and the life insurance decreased. Emergency clause is requested because the new cards have to be made and the benefit packets provided to the employees before the end of the year. The roll was called on adding the emergency clause and was approved by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose. The roll was called and Ordinance/Resolution No. 188-17 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

**Ord. 189-17**

**An Ordinance authorizing the Finance Director to make certain fund advances.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 189-17, seconded by Mr. Simpson. Mr. Dirham stated advances are a loan from one fund to another, most of these deal with grant projects as we have to loan ourselves the money because we have to spend it before the granting agencies will reimburse us and then we can repay the loan. The roll was called and Ordinance/Resolution No. 189-17 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

**Ord. 190-17**

**An Ordinance authorizing the Mayor to enter into a Master Services Agreement with the Medina Port Authority for Fiber Transport Services.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 190-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 190-17, seconded by Mr. Simpson. Mayor Hanwell stated they renegotiated the contract at the end of the five years and were able to secure a contract for \$500 a month, saving \$373 a month for a three year contract. This is an agreement to not exceed three years or \$18,000 and we need the emergency for this to be effective January 1, 2018. 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. 190-17 passed by the yea votes of J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

**Ord. 191-17**

**An Ordinance authorizing the Finance Director to make certain fund advances.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 191-17, seconded by Mr. Simpson. Mr. Dirham explained this is similar to the earlier ordinance on advances, again we are loaning money to ourselves to cover projects. The roll was called and Ordinance/Resolution No. 191-17 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

**Council Comments:**

President Coyne thanked Brian Hilberg for all his years of service. He and Brian graduated from Buckeye High School together a long time ago. Glad he had the calling to be involved with public service to better the community. Mr. Coyne presented a plaque of appreciation to Brian Hilberg. Have a Happy & Safe Holidays, Merry Christmas.

Mr. Simpson Congratulated the CDC for transferring our Square into the masterpiece that it is. He thanked Mr. Ross for his efforts, dedication, and the work surely you will continue to do. Dennie mentioned Judge Dale Chase and working with him for 14 years. Dennie remembers the Judge's compassion he spoke of for the love of his community, there has been several times over the years when Council President Coyne and the Council Members have asked all department heads to try to keep their budgets at the same level from the previous year and Judge Chase has always honored that. City Council may not have always seen eye to eye over the court special projects issues, but you were always cordial through the process, and I have great respect for that. Hopefully in the future, we will be able to accomplish some of those things that are needed at the court across the street. Dennie thanked the Judge.

He thanked Brian Hilberg for his service to the City of Medina, he knows that's not going to stop. He congratulated Brian on a well ran campaign. There are a lot of people in this community in this city that respect you and think the world of you.

Mr. Shields congratulated Michael on his Eagle Scout award.

He thanked the CDC for helping make Medina so great.

He thanked and praised Judge Dale Chase, stating he made a real difference in our community and is truly a role model and admires everything he has done.

Jim feels he gained a friend out of Brian Hilberg being on council, and that's what he appreciates most. He will be greatly missed on council. He also appreciated the great ally he was with the pool from day one supportive.

Mr. Kolesar echoed congratulations to Michael on achieving Eagle Scout.

He recognizes the fabulous job the Community Design Committee has done over the last 50 years. He thanked the administration and all their employees for another tough year and all their hard work. Mark said he appreciated how professional Judge Dale Chase always was. Mark commented that he would watch him on the cable access channel and how he treated each person with respect, and would always give them the opportunity to be honest and tell their side of it. Mark thanked

Medina City Council  
December 11th, 2017

Judge Dale Chase for his 30 + years of service to this community.

Mark expressed his gratitude to Brian Hilberg and feels he needs to walk out of here standing tall because he has done a lot of good things for Ward 1 and he should be proud.

Mr. Lamb thanked Brian Hilberg for his service.

He spoke of Judge Dale Chase and thanked him for his many years of service stating that there is nothing better, nothing more important than contributing to a community it's the life blood of how the community works, its contributing your time.

Bill stated he thinks about what if the CDC had not become an organization, what would the downtown look like today? He appreciates all the work they have done over the years.

He also appreciates all the administration, council and their work over the years, and to John Coyne who may get overlooked from his contributions of how he directs the meetings, organizes the meetings, and keep things going in such a professional way.

Mr. Rose thanked the CDC for their work over the past 50 years.

Paul thanked Mr. Ross for his hard work and contributions to the community and congratulated him on the Eagle Scout award.

He thanked Dale Chase for all the good he did as a Judge.

He thanked the administration for their hard work.

Paul stated it has been a pleasurable 5 ½ years working with Brian Hilberg.

Merry Christmas and Happy New Year to the City.

Mr. Coyne announced that January 3<sup>rd</sup> is the Organizational Meeting at 6 p.m. right here at City Hall.

Mr. Hilberg expressed congratulations to Michael Ross, Dale Chase and the CDC.

He thanked everyone for their gracious comments and said he appreciates them, and stated he is proud of what he has done over the last 5 ½ years on Council and is a little sad to be leaving but will be getting to spend more time with his family. He wished Laura Parnell luck working with Council.

### **Adjournment:**

There being no further business before Council, the meeting adjourned at 8:33 p.m.

---

Kathy Patton, CMC - Clerk of Council

---

John M. Coyne, President of Council

## **MEDINA CITY COUNCIL**

January 3, 2018

Special Session - Organizational Meeting

### **Opening:**

After due notice according to law, Medina City Council met in special, open session January 3, 2018. The meeting was called to order at 6:00 p.m. by President of Council John Coyne who also led the pledge of allegiance.

### **Invocation:**

The invocation was offered by Pastor Arthur Ruffin from Second Baptist Church.

### **Oaths of Office:**

**Dennis T. Hanwell**, Mayor by the Honorable Judge Christopher J. Collier. Bible held by Chris Hanwell (wife)

**Keith H. Dirham**, Director of Finance by the Honorable Judge Gary F. Werner. Bible held by Deonna Dirham (wife)

**Laura Parnell-Cavey**, Ward 1 Councilwoman by Bruce Doom (father). Bible held by Ben Cavey (husband)

**Mark E. Kolesar**, Ward 3 Councilman by Marjorie Kolesar (mother). Bible held by Molly Lash (sister-in-law)

**Paul Rose, Sr.**, At-Large Councilman by Eric Rose (son). Bible held by Paul & Inez Rose (parents)

### **Roll Call:**

President Coyne called for the roll call and the following members of Council were present: J. Coyne, M. Kolesar, B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, and D. Simpson.

### **Confirmation of Council Committee Appointments by President of Council :**

See Exhibit A

Mr. Shields moved to confirm the President of Council appointments as shown on Exhibit A, seconded by Mr. Simpson. The roll was called and the appointments were approved by the yea votes of M. Kolesar, B. Lamb, L. Parnell, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Airport Commission – Bill Lamb (expiring 12/31/21)

Community Investment Corporation – Paul Rose (expiring 12/31/19)

Mr. Shields moved to confirm the President of Council appointments to the Airport Commission and Community Investment Corporation, seconded by Mr. Simpson. The roll was called and the appointments were approved by the yea votes of B. Lamb, L. Parnell, P. Rose, J. Shields, D. Simpson, J. Coyne, and M. Kolesar.



**Confirmation of Other Council Appointments:**

President of Council Pro-Tem – James A. Shields (expiring 12/31/19)

Mr. Simpson moved to nominate Jim Shields as President of Council Pro-Tem, seconded by Mr. Kolesar. The roll was called and the nomination of Mr. Shields as President of Council Pro-Tem was approved by the yeas of M. Kolesar, B. Lamb, L. Parnell, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Cable ACCESS – Bill Lamb (expiring 12/31/19)  
Cable ACCESS – Laura Parnell-Cavey (expiring 12/31/18)  
CRA Housing Council – Laura Parnell-Cavey (expiring 12/31/18)  
CRA Housing Council – Bill Lamb (expiring 12/31/20)  
Firemen's Dependents Board – Laura Parnell-Cavey (expiring 12/31/18)  
Planning Commission – Paul Rose (expiring 12/31/21)  
Robby's Voice Recovery Center Board (Ward 1 Council) – Laura Parnell-Cavey  
Strategic Plan Advisory Committee (Ward 3 Rep.) – Nicole Glatz (exp. 12/31/18)

Mr. Shields moved to confirm the Council appointments as listed above, seconded by Mr. Simpson. The roll was called and the appointments were approved by the yeas of P. Rose, J. Shields, D. Simpson, J. Coyne, M. Kolesar, B. Lamb, and L. Parnell.

**Confirmation of Mayor's Director Appointments:**

Gregory A. Huber, Director of Law (expiring 12/31/19)  
Serafino Piccoli, Service Director  
Jonathan Mendel, Planning and Community Development Director  
Michael Wright, Recreation Center Director  
Kimberly Marshall, Economic Development Director  
Jansen Wehrley, Parks Director  
Daniel R. Gladish, Building Official  
Jarrod Fry, Cable TV Executive Director

Mr. Shields moved to confirm the Mayor's Director appointments as presented, seconded by Mr. Simpson. The roll was called and the appointments were approved by the yeas of J. Shields, D. Simpson, J. Coyne, M. Kolesar, B. Lamb, L. Parnell, and P. Rose.

**Confirmation of Mayor's Appointments:**

Historic Preservation Board:  
Elizabeth Biggins-Ramer (exp. 12/31/18)  
Patty Stahl (exp. 12/31/21)

Board of Zoning Appeals – Kris Klink (exp. 12/31/21)

**MEDINA CITY COUNCIL**  
Special Session, Organizational Meeting

January 3, 2018

**Planning Commission:**

Andrew Dutton – Full Member (exp. 12/31/21)  
Robert Thompson – Alternate #1 (exp. 12/31/20)  
Brian Hilberg – Alternate #2 (exp. 12/31/21)

Mr. Shields moved to confirm the rest of the Mayor's appointments as presented, seconded by Mr. Simpson. The roll was called and the appointments were approved by the yea votes of J. Coyne, M. Kolesar, B. Lamb, L. Parnell, P. Rose, J. Shields, and D. Simpson.

**Confirmation of Director of Finance Appointment:**

Deputy Director of Finance – Lori Bowers (exp. 12/31/21)

Mr. Shields moved to confirm the Deputy Director of Finance appointment, seconded by Mr. Simpson. The roll was called and the appointment of Lori Bowers as Deputy Director of Finance was approved by the yea votes of D. Simpson, J. Coyne, M. Kolesar, B. Lamb, L. Parnell, P. Rose, and J. Shields.

**Consideration of Council Rules:**

Mr. Shields moved for the re-adoption of Section 111.15 the Rules of Council as presented, seconded by Mr. Simpson. The roll was called and the Council Rules were re-adopted as presented by the yea votes of M. Kolesar, B. Lamb, L. Parnell, P. Rose, J. Shields, D. Simpson, and J. Coyne.

**Adjournment:**

There being no further business, the meeting was adjourned at 6:17 p.m.

---

Kathy Patton, Clerk of Council

---

John M. Coyne, President of Council

**Exhibit A**

**2018 MEDINA CITY COUNCIL COMMITTEES**

**FINANCE**

John Coyne, Chair (19)  
Bill Lamb (19)  
Laura Parnell-Cavey (21)  
Jim Shields (19)  
Paul Rose (21)  
Dennie Simpson (19)  
Mark Kolesar (21)

**HEALTH, SAFETY & SANITATION**

Mark Kolesar, Chairman  
John Coyne  
Paul Rose

**PUBLIC PROPERTIES**

Jim Shields, Chair  
Laura Parnell-Cavey  
Dennie Simpson

**EMERGING TECHNOLOGIES**

Paul Rose, Chair  
John Coyne  
Jim Shields

**SPECIAL LEGISLATION**

Bill Lamb, Chair  
Jim Shields  
Paul Rose

**STREETS & SIDEWALKS**

Dennie Simpson, Chair  
Paul Rose  
Bill Lamb

**WATER & UTILITIES**

Laura Parnell-Cavey, Chair  
Mark Kolesar  
Dennie Simpson

NOTICE TO LEGISLATIVE  
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

86538890005		TRFO	STYX ACQUISITION LLC 275 FOREST MEADOWS DR MEDINA OHIO 44256
PERMIT NUMBER		TYPE	
10	01	2017	
ISSUE DATE			
12	22	2017	
FILING DATE			
D1 D2 D6		PERMIT CLASSES	
52	077	C	F19641
TAX DISTRICT		RECEIPT NO.	

FROM 12/27/2017

10851620006			BUEHLER FOOD MARKETS INC 275 FOREST MEADOWS DR MEDINA OHIO 44256
PERMIT NUMBER		TYPE	
10	01	2017	
ISSUE DATE			
12	22	2017	
FILING DATE			
D1 D2 D6		PERMIT CLASSES	
52	077		
TAX DISTRICT		RECEIPT NO.	



MAILED 12/27/2017

RESPONSES MUST BE POSTMARKED NO LATER THAN. 01/29/2018

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

C TRFO 8653889-0005

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD. ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF MEDINA CITY COUNCIL  
132 NORTH ELMWOOD AVENUE  
MEDINA OHIO 44256

**OWNERSHIP DISCLOSURE INFORMATION**

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

**Searching Instructions**

Enter the known information and click the "Search" button. **For best results, search only ONE criteria at a time.** If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

**SEARCH CRITERIA****Permit Number**

8653889

**Permit Name / DBA****Member / Officer Name****Search****Reset****Main Menu**

Member/Officer Name	Shares/Interest	Office Held
<b>Permit Number:</b> 86538890005; <b>Name:</b> STYX ACQUISITION LLC; <b>DBA:</b> ; <b>Address:</b> 275 FOREST MEADOWS DR MEDINA 44256		
DANIEL SHANAHAN		
STYX HOLDING CORP	MANAGE MEM	

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- [Ohio Department of Commerce](#)

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NOTICE TO LEGISLATIVE  
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

6442035		NEW		NORTH ROSE MANAGEMENT GROUP LLC 17 PUBLIC SQUARE MEDINA OH 44256	
PERMIT NUMBER		TYPE			
ISSUE DATE					
10   10   2017					
FILING DATE					
D1		PERMIT CLASSES			
52	077	C	B76617		
TAX DISTRICT		RECEIPT NO.			

FROM 01/02/2018

PERMIT NUMBER		TYPE	
ISSUE DATE			
FILING DATE			
PERMIT CLASSES			
TAX DISTRICT		RECEIPT NO.	



MAILED 01/02/2018

RESPONSES MUST BE POSTMARKED NO LATER THAN. 02/02/2018

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.  
REFER TO THIS NUMBER IN ALL INQUIRIES

C NEW 6442035

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF MEDINA CITY COUNCIL  
132 NORTH ELMWOOD AVENUE  
MEDINA OHIO 44256

**OWNERSHIP DISCLOSURE INFORMATION**

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**Searching Instructions**

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The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

**SEARCH CRITERIA****Permit Number**

6442035

**Permit Name / DBA****Member / Officer Name****Search****Reset****Main Menu**

Member/Officer Name	Shares/Interest	Office Held
<b>Permit Number:</b> 6442035; <b>Name:</b> NORTH ROSE MANAGEMENT GROUP LLC; <b>DBA:</b> ; <b>Address:</b> 17 PUBLIC SQUARE MEDINA 44256		
RYAN ROSE	5% VOTING	PRESIDENT
MIA ROSE	MANAGE MEM	CEO

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- [Ohio Department of Commerce](#)

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**ORDINANCE NO. 1-18**

**AN ORDINANCE AMENDING SECTION 133.01 OF THE  
CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO  
RELATIVE TO THE DIRECTOR OF LAW ASSOCIATION  
MEMBERSHIPS.**

**WHEREAS:** Section 133.01 of the codified ordinances of the City of Medina, Ohio presently reads as follows pertaining to the Director of Law:

Director of Law      Ohio Municipal Attorney's Association  
International Municipal Lawyer's Association

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That Section 133.01 of the codified ordinances of the City of Medina, Ohio pertaining to the Director of Law Association Memberships shall be amended as follows:

Director of Law  
and/or designee

Ohio Municipal Attorney's Association  
International Municipal Lawyer's Association  
Northeast Ohio Law Directors Association

**SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 4:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: \_\_\_\_\_ SIGNED: \_\_\_\_\_  
President of Council

ATTEST: \_\_\_\_\_  
Clerk of Council

**SIGNED:** \_\_\_\_\_  
**Mayor**





**NORTHEAST OHIO  
LAW DIRECTORS ASSOCIATION**  
*Membership Application and Dues Notice*  
**2018**

Individual/Entity/Firm Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Main Telephone Number: \_\_\_\_\_

<u>Name</u>	<u>Email Address</u>	<u>Jurisdiction(s)</u>	<u>Type of Membership/Amount</u>

Total Amount: \$ \_\_\_\_\_

Types of Memberships

Chief Legal Representative                      \$75.00

Assistant Legal Representative                      \$50.00

Associate Member (Not currently  
employed by a political subdivision)                      \$60.00

**\*\* Membership entitles you to free CLE credits for those monthly meetings where CLE credit is offered, with separate charge for meals. (Does not include the Annual CLE Seminar in February.)**

Please make checks payable to "Northeast Ohio Law Directors Association" and mail to:

R. Todd Hunt, Treasurer  
The Tower at Erieview  
1301 East Ninth Street, Suite 3500  
Cleveland, Ohio 44114-1821  
(216) 928-2976  
email: [rthunt@walterhav.com](mailto:rthunt@walterhav.com)

**ORDINANCE NO. 2-18**

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE MEDINA COUNTY COMBINED GENERAL HEALTH DISTRICT TO PROVIDE STORM WATER RUNOFF TESTING SERVICES ON BEHALF OF THE CITY OF MEDINA FOR THE CITY'S NPDES PERMIT.**

**WHEREAS:** Federal EPA rules cause certain communities to fall within the Federal NPDES (National Pollutant Discharge Elimination System) five year permit cycle as a "MS-4 Phase II" jurisdiction. Medina City is such a jurisdiction, whose permit began April 1, 2009. The City of Medina's Municipal Storm Water Program will be audited by the Ohio EPA for compliance to the Phase II plan; and

**WHEREAS:** An agreement is required by the permit for performance of items conducted on behalf of the permit holder by an appropriate assisting entity, in this case the Medina County Combined General Health District, to provide storm water runoff testing services on behalf of the City.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That the Mayor is hereby authorized and directed to execute an Agreement with the Medina County Combined Health District to provide storm water runoff testing services on behalf of the City.

**SEC. 2:** That the cost of this service is \$5,300.00 annually and is available in Account No. 108-0668-54411.

**SEC. 3:** That a copy of the Agreement is marked Exhibit A attached hereto and incorporated herein.

**SEC. 4:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 5:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_ **SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_ **APPROVED:** \_\_\_\_\_  
**Clerk of Council**

**SIGNED:** \_\_\_\_\_  
**Mayor**

**AGREEMENT BETWEEN  
THE MEDINA COUNTY COMBINED GENERAL HEALTH DISTRICT  
AND  
THE CITY OF MEDINA, OHIO**

THIS AGREEMENT, made this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_, (Effective Date”), by and between the Medina County Combined General Health District (hereinafter “MCHD”) and the City of Medina Ohio (hereinafter “City”) for the provision by MCHD for services to perform sampling of storm sewers located within the City and provide other services in order to facilitate the city’s compliance with its Ohio EPA NPDES Permit for Storm Water management.

**A. DUTIES AND RESPONSIBILITIES**

By this Agreement, and upon request from the City, MCHD will test selected locations within the City’s storm sewer system for fecal coliform bacteria beginning in 2013. The City’s Engineer will provide a list of outfalls where sampling is warranted, as determined by their prior inspection, and in accordance with the following:

- (1) MCHD will sample outfall locations during a dry weather period (minimum 72 hours no rain event) over the contract reporting period.
- (2) MCHD will provide the sample results to the City Engineer to be included in the City’s Storm Water Annual Report to the Ohio EPA.
- (3) The CITY will provide aid in opening storm sewer manholes where and when needed for the purpose of sample collections.

**B. TERM**

The term of this Agreement shall be on the Effective Date stated above and shall end on December 31, 2022. Either party may cancel this Agreement, for cause, with sixty (60) days written notice to the other party of such intent, when either the progress or results achieved under this Agreement are unacceptable to either party. Prior to cancellation of this Agreement, a meeting will be held by the parties to discuss issues of concern and to seek resolution. If this Agreement is canceled by the parties prior to completion, MCHD, within twenty (20) days, shall submit a certified final progress report if a percentage of work is completed by the date of cancellation. The City will pay MCHD for the work completed as certified in this statement, subject to the provisions of this Agreement.

**C. COMPENSATION**

The City shall pay the MCHD for its sampling services an amount of one hundred dollars (\$100.00) per sample. The City shall pay MCHD an amount of one hundred dollars (\$100.00) for each outfall the City has requested a sample, but MCHD was unable to obtain a sample due to no flow at the time of its visit to the outfall. Upon request from the City, the City shall pay MCHD an amount of one hundred dollars (\$100.00) per hour for the time spent by MCHD assisting with the investigation and/or resolution of confirmed illicit discharges.

**D. PAYMENT**

MCHD shall submit an invoice to the City for the payments due hereunder.

**E. INDEPENDENT CONTRACTORS**

MCHD is performing its duties and obligations under this Agreement as an independent contractor and is not an agent or employee of the City. MCHD shall be responsible for its negligent acts or omissions and the negligent acts or omissions of its employees, officers, or directors, to the extent allowable by law.

***IN WITNESS WHEREOF***, authorized representatives of the parties to this contract, indicating their party's approval of the terms herein, have signed as of the dates set forth below.

WITNESSES:

**MEDINA COUNTY COMBINED  
GENERAL HEALTH DISTRICT**

1. \_\_\_\_\_

By: \_\_\_\_\_

2. \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

WITNESSES:

**CITY OF MEDINA, OHIO**

1. \_\_\_\_\_

By: \_\_\_\_\_

2. \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**RESOLUTION NO. 3-18**

**A RESOLUTION REQUESTING THE COUNTY AUDITOR  
TO MAKE TAX ADVANCES DURING THE YEAR 2018  
PURSUANT TO OHIO REVISED CODE SECTION 321.34.**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

- SEC. 1:** That the County Auditor is hereby requested to draw and the County Treasurer to pay on such draft, to the Director of Finance of the City of Medina, Ohio such money as may be in the county treasury from time to time during the year 2018, to the account of the City of Medina, Ohio and lawfully applicable to the purpose of the current fiscal year in which such request is made. Such payments are to be made from time to time as the Director of Finance may request.
- SEC. 2:** That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to the Medina County Auditor.
- SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 4:** That this Resolution shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**

**ORDINANCE NO. 4-18**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR COMPETITIVE BIDS AND TO AWARD A CONTRACT TO THE SUCCESSFUL BIDDER FOR THE EAST SMITH ROAD RECONSTRUCTION PROJECT.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

- SEC. 1:** That the Mayor is hereby authorized and directed to advertise for competitive bids and to award a contract to the successful bidder for the East Smith Road Reconstruction Project (City Job #1011) in accordance with plans and specifications on file in the office of the Mayor.
- SEC. 2:** That the estimated cost of the project, in the amount of \$1,369,500.00, is available as follows: \$919,500.00 in Account No. 108-0670-54418, and \$450,000.00 in Account No. 380-0674-54414.
- SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 4:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**

**ORDINANCE NO. 5-18**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR COMPETITIVE BIDS AND TO AWARD A CONTRACT TO THE SUCCESSFUL BIDDER FOR THE CHAMPION CREEK MULTI-PURPOSE PATH AND STREETScape PROJECT.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

- SEC. 1:** That the Mayor is hereby authorized and directed to advertise for competitive bids and to award a contract to the successful bidder for the Champion Creek Multi-Purpose Path and Streetscape Project (City Job #968) in accordance with plans and specifications on file in the office of the Mayor.
- SEC. 2:** That the estimated cost of the project, in the amount of \$359,700.00, is available as follows: \$287,760.00 in Account No. 386-0675-54414, and \$71,940.00 in Account No. 108-0675-54418.
- SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 4:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_ **SIGNED:** \_\_\_\_\_  
President of Council

**ATTEST:** \_\_\_\_\_ **APPROVED:** \_\_\_\_\_  
Clerk of Council

**SIGNED:** \_\_\_\_\_  
Mayor

**ORDINANCE NO. 6-18**

**AN ORDINANCE AUTHORIZING THE EXPENDITURE OF \$20,000.00 TO THE MEDINA COUNTY OFFICE OF OLDER ADULTS FOR MEALS AND RELATED SERVICES FOR THE YEAR 2018.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

- SEC. 1:** That the expenditure of \$20,000.00 to the Medina County Office of Older Adults is hereby authorized for meals and related services for the year 2018.
- SEC. 2:** That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director's certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.
- SEC. 3:** That the funds to cover this payment are available in Account No. 001-0707-52215, to be reimbursed from Electric Aggregation grant funds when received.
- SEC. 4:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 5:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**



**ORDINANCE NO. 7-18**

**AN ORDINANCE AMENDING ORDINANCE NO. 177-17,  
PASSED DECEMBER 11, 2017. (Amendments to 2018 Budget)**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** That Ordinance No. 177-17, passed December 11, 2017, shall be amended by the following additions:

<u>Account No./Line Item</u>	<u>Additions</u>
902-0355-52215 (Bicentennial Coloring Book Sales)	470.00 *
902-0355-52215 (Bicentennial Baseball Cap Sales)	100.00 *
902-0355-52215 (Bicentennial Donation-Ingraham)	100.00 *
902-0355-52215 (Bicentennial Donation-Fernwood)	200.00 *
902-0355-52215 (Bicentennial Donation-Drug Mart)	2,500.00 *

**SEC. 2:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**SEC. 3:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

\* - new appropriation

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**

**ORDINANCE NO. 8-18**

**AN ORDINANCE ADOPTING A PURCHASING CARD  
POLICY FOR THE CITY OF MEDINA.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

- SEC. 1:** That the Purchasing Card Policy for the City of Medina is hereby adopted.
- SEC. 2:** That a copy of the Policy is marked Exhibit A, attached hereto and incorporated herein, and shall be subject to the Law Director's final approval.
- SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 4:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

**PASSED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**President of Council**

**ATTEST:** \_\_\_\_\_  
**Clerk of Council**

**APPROVED:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_  
**Mayor**

# DRAFT – NEEDS AUDITOR RECOMMENDED LIMITS

## CITY OF MEDINA PURCHASING CARD POLICY

*1-3-18  
Updated policy w/limits to  
be provided prior to  
meeting on 1-8-18*

### OVERVIEW

The objective of the City of Medina's Purchasing Card Program is to improve the way we conduct business. It will allow us to obtain favorable pricing by enabling us to purchase from vendors who do not accept purchase orders, or expedite a transaction in an emergency situation. This program is designed to be easy to use, however, appropriate controls must be in place to ensure the ongoing success of the program.

This program is not intended to avoid or bypass appropriate purchasing or payment procedures. Rather, the program enhances the existing process. Policies and procedures cannot cover every issue, exception or contingency that may arise in the use of purchasing cards, therefore, users should use common sense and good judgement in the use of government resources. City funds are committed each time a purchasing card is used, a responsibility that cannot be taken lightly.

### GUIDELINES

1. Purchasing card transactions are hereby authorized for in-store, internet, telephone, fax or mail order acquisitions, only when a purchase order is not accepted by the vendor or where use of a purchasing card would be more efficient.
2. The Finance Director shall be responsible for the issuance, monitoring, retrieval and general oversight of compliance with this Purchasing Card Policy.
3. Purchasing cards shall be in the name of City of Medina. Transactions made on behalf of the City are ONLY to be made by City employees authorized by the Finance Director to do so. Authorized user lists will be maintained in the Finance Department.
4. Purchasing cards shall only be used for the purchase of goods and services that are the official business of the City of Medina.
5. All purchasing cards issued to the City of Medina will be maintained in the Finance Department. Should it become necessary for an employee to use a card for the purchase of goods or services as part of official City business, the employee shall sign out the card providing his/her name, department, date of use, vendor, reason for purchase, and date of card's return.
6. Because of short payment terms, a purchase order must be on file in the Finance Department BEFORE the purchasing card is signed out and used.

7. When providing the vendor with an email address for a purchasing card transaction, the employee must use [accountspayable@medinaoh.org](mailto:accountspayable@medinaoh.org) as the primary contact so that transactions and amounts can be monitored. Any emails received will then be forwarded to the employee who made the purchase for receipt processing.
8. The employee needs to ensure that sales tax is not charged at the point of sale. The employee is responsible for getting the vendor to remove any sales tax applied in error.
9. Documentation detailing the goods and services purchased with City purchasing cards shall be required for all transactions. Obtaining appropriate receipts is the responsibility of the user. Acceptable receipts must be itemized and contain vendor name, dollar amounts, description of all items purchased, and date of purchase. This may be a signed credit card slip, sales receipt, invoice showing payment was made, purchase confirmation email, or a combination thereof. If documentation cannot be provided, the employee shall reimburse the City for that amount. Habitual failure to turn in appropriate receipts will result in termination of purchasing card privileges.
10. City purchasing cards shall not be used for personal use, cash advances, or other vendor category exclusions (i.e. alcohol, tobacco products, etc). See "Card Controls and Limits" below.
11. Any refunds from purchasing card sales must be credited back to the purchasing card.
12. All benefits derived from the use of purchasing cards shall become the property of the City of Medina.
13. A purchasing card must be used for hotel stays so the City avoids a portion of the taxes. However, the card is only to be used for the standard room rate and any parking fees. No meals or entertainment expenses are to be charged to the card.
14. If an employee experiences denials when using a City purchasing card, the employee shall immediately notify Accounts Payable, who will then investigate the denial.
15. Employees shall be responsible for the protection and custody of the purchasing card while in his/her possession. Employees shall not knowingly post or otherwise make public available card data that could potentially result in fraud or unauthorized charges. If a card is lost or stolen, the employee shall immediately notify Accounts Payable. Repeated card loss may result in termination of card privileges.
16. Any City employee who violates the provisions of this Purchasing Card Policy shall be subject to disciplinary action, up to and including discharge and/or civil or criminal action.

## **CARD CONTROLS AND LIMITS**

The purchasing cards have embedded limits and restrictions. Each time a card is used, the vendor is required to obtain authorization from the banking network. This ensures the purchase is within the program controls and limits established to safeguard against possible improper and/or fraudulent use.

The following is an outline of the types of embedded restrictions on the cards. They are designed to protect you and the City of Medina:

1. Spending limits:

- Single transaction purchase limit - \$ \_\_\_\_\_
- Monthly purchase limit - \$ \_\_\_\_\_
- Daily and monthly number of transactions – \_\_\_\_/day and \_\_\_\_/month
- The splitting of purchases into separate transactions to avoid any of these requirements is strictly prohibited.
- Finance Director approval is required to increase any limits.

2. City of Medina purchasing cards are not to be used for items such as:

- Personal purchases
- Cash advances, ATM transactions, and other cash related activities
- Travel expenses other than airfare, rental car, or hotel (room rate and parking fee only)
- Restaurants and drinking establishments
- Entertainment expenses
- Alcohol and tobacco