

MEDINA CITY COUNCIL
Tuesday, October 10th, 2017

Opening:

Medina City Council met in regular, open session on Monday, September 25th, 2017. The meeting was called to order at 7:30 p.m. by President Pro-Tem Jim Shields who led the Pledge of Allegiance.

Roll Call:

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

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

Minutes:

Mr. Simpson moved that the minutes from the regular meeting on September 25th, 2017 as prepared and presented by the Clerk be approved, seconded by Mr. Kolesar. The roll was called and the minutes were approved by the yeas of P. Rose, J. Shields, D. Simpson, B. Hilberg, M. Kolesar, and B. Lamb.

Reports of Standing Committees:

Finance Committee: Mr. Shields stated they met prior to Council and will meet again in two weeks.

Health, Safety & Sanitation Committee: Mr. Kolesar had no report.

Public Properties Committee: Mr. Shields had no report and no meeting scheduled.

Special Legislation Committee: Mr. Lamb had no report.

Streets & Sidewalks Committee: Mr. Simpson had no report.

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

Emerging Technologies Committee: Mr. Rose had no report.

Requests for Council Action:

Finance Committee

17-179-10/10 – Budget Amendments

17-180-10/10 – Payment – PY16 CHIP Rehab – 914 Quincy Ct.

17-181-10/10 – Amend Ord. 107-17 – PY16 CHIP – 540 Ridge Dr.

17-182-10/10 – Amend Ord. 49-17 – PY16 CHIP – 409 E. North St.

17-183-10/10 – Amend S&B 31.05 – Probation Grant Employees

17-184-10/10 – Payment – PY16 CHIP Rehab – 2050 Etta Blvd., Brunswick

17-185-10/10 – Amend Ord. 97-17 – PY16 CHIP – 4144 James Dr., Brunswick

17-186-10/10 – Accepting Budget Commission Amounts & Rates

17-187-10/10 – Then & Now – Vinez Construction

17-188-10/10 – First Energy Solutions – Electric Aggregation – Discussion

17-189-10/10 – Amend Codified Ord. 133.01, Association Memberships

Reports of Municipal Officers:

Dennis Hanwell, Mayor, Absent

John Coyne, Acting Mayor, announced that today is National Mental Health Day. John thanked Council for all their hard work.

Mayor's Proclamation – "Made in Medina County Day"

Kimberly Marshall thanked John Coyne on behalf of the Steering Committee. They appreciate Council recognizing October 20th as their Made in Medina County Day.

Keith Dirham, Finance Director, stated the budget process continues and the final departmental budget hearing is scheduled for tomorrow.

Greg Huber, Law Director, had no report.

Lt. Birckbichler, Acting Police Chief, States with Route 42 project there has been some change in the traffic flow. One of the most dangerous driveway accesses is the West Reagan Parkway at the former Kmart Plaza by Taco Bell. There is no left turn there anymore. They will begin enforcement of the signs, it will be a period of education for the motoring public but hopefully with this change there will be a reduction in the number of accidents there.

Kimberly Marshall, Economic Development Director, as a follow up to the Made in Medina County Day, the collaboration is pleased to bring the Disney Institute to serve as their key note presentation for the County's second manufacturing expo featuring nearly 90 exhibitors. This expo will be on Friday, October 20th at the Medina County Fair Grounds and will highlight manufacturers from throughout the County, showcasing products made in Medina County starting at 8 a.m. for breakfast. Tickets are available for \$40.00 and can be purchased at www.madeinmedinacounty.com after the key note presentation, the expo will open to the public free of charge from 11 a.m. to 2 p.m. A complete list of the exhibitors and sponsors along with the schedule is available online.

Jonathon Mendel, Planning Community Director, had no report.

Chief Painter, Fire Chief, reminded the residents that this Saturday is the Fire Department Open House. There will be activities for the kids, food provided by Buehlers, Giant Eagle and Sandridge Foods, and will be prepared by Corkscrew Saloon. There will be two helicopters on site.

Mike Wright, Recreation Center Director, was absent.

Jansen Wehrley, Parks and Recreation Director, stated they will be conducting their first round of the visual deer survey next week as part of their deer management process. The second round will be the second week of November and all this information will be recorded in the Trend Data Report.

Dan Gladish, Building Official, had no report.

Patrick Patton, City Engineer, Patrick, stated weather permitting the contractor for the Route 42 project will be installing the top layer of asphalt and pavement marking. They are getting very close to being able to open up that whole section to full traffic sometime in the next couple of weeks.

Nino Piccoli, Service Director, stated everyone is anxiously awaiting the start of the Leaf Program which is scheduled to begin on Monday, October 16th. The dates will be up on the website and the Leaf Hotline number is 330-725-5323 (LEAF).

The City auction is scheduled for Saturday, October 21st at the City Garage located at 781 West Smith Rd. Preview starts at 9 a.m. and auction begins at 10 a.m.

Nino acknowledged the residents on Longview, stating the City had 8 water breaks this weekend in a 30 hour period and the residents had their water turned off every time a break occurred until the breaks were repaired.

Nino Piccoli also reported that Russ Barns passed away, stating that he served the City in the Sanitation Department for 30 years. He sent out condolences and prayers to the family.

Notices, Communications and Petitions:

There were none.

Unfinished Business:

There is none.

Introduction of Visitors:

There were none.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 143-17

An Ordinance authorizing the Job Creation Grant Agreement for Fire-Dex, LLC. Mr. Simpson moved for the adoption of Ordinance/Resolution No. 143-17, seconded by Mr. Kolesar. Kimberly Marshall stated this is for the purpose of expanding their facility located at 780 South Progress Dr. doubling the size and will consist of an investment of \$2 million dollars into this project. The agreement will provide Fire-Dex, LLC with a grant up to 40% of new payroll taxes to the City of Medina for 3 years. The roll was called and Ordinance/Resolution No. 143-17 passed by the yeas and nays of J. Shields, D. Simpson, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Ord. 144-17

An Ordinance authorizing the Job Creation Grant Agreement for Echelon of Medina – Echelon Independent Living Operations, LLC. Mr. Simpson moved for the adoption of Ordinance/Resolution No. 144-17, seconded by Mr. Kolesar. Kimberly stated this is for the purpose of constructing a 90 unit 119,413 sq. ft. Independent Living Facility located at 629 North Huntington St. This will be an investment of \$15.5 million into this project. The agreement will provide Echelon Independent Living Operations with a grant up to 40% of new payroll taxes to

the City of Medina for 3 years. The roll was called and Ordinance/Resolution No. 144-17 passed by the yeas votes of D. Simpson, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Ord. 145-17

An Ordinance authorizing the Job Creation Grant Agreement for Echelon of Medina – Echelon Assisted Living Operations, LLC. Mr. Simpson moved for the adoption of Ordinance/Resolution No. 145-17, seconded by Mr. Kolesar. Kimberly stated this if for the purpose of constructing a 98 bed 80,675 sq. ft. Assisted Living and Memory Care Facility located at 630 North Huntington St. Echelon of Medina – Echelon Assisted Living Operations, LLC will have an investment of \$12,250,000 in this project. This agreement will provide Echelon of Medina – Echelon Assisted Living Operations, LLC with a grant of up to 40% of new payroll taxes to the City of Medina for 3 years. The roll was called and Ordinance/Resolution No. 145-17 passed by the yeas votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 146-17

An Ordinance declaring the improvements to certain real property within the City to be a public purpose; describing the public improvements to be made to directly benefit such parcels; exempting such improvements from ad valorem real property taxes; authorizing the execution of a Revenue Sharing Agreement with the Medina City School District; and establishing a Municipal Improvement Tax Increment Equivalent Fund for the deposit of the service payments in Lieu of ad valorem property taxes, all pursuant to Sections 5709.40, 5709.42 and 5709.43 of the Revised Code. Mr. Simpson moved for the adoption of Ordinance/Resolution No. 146-17, seconded by Mr. Kolesar. Mr. Simpson moved that the emergency clause be added to Ordinance/Resolution No. 146-17, seconded by Mr. Rose. Mr. Coyne stated they received a grant for the construction of a municipal or other parking structure in the downtown area of \$1 million dollars from the State of Ohio and the estimated cost for the construction of the new parking deck, which will be located here south of City Hall going towards Liberty Street, will be approximately 200 parking spaces. In order to finance this, the City will have to come up with an additional \$2.5 million. We have discussed various options and came up with the solution of implementing a TIF arrangement, a Tax Increment Financing, which means that any improvement made on certain parcels around the square that were designated to be in the TIF district, the incremental increase in tax value would be used to pay down the amount of money that would be advanced by the City of Medina. A development spurred by the parking structure would be the old Medina Chamber of Commerce parcel which is some retail and residential apartments being constructed at the corner of Friendship and N. Court St. which would enable certain tax dollars to be used to pay towards the parking deck. Another would be a parcel carved off by the City of Medina fronting Liberty Street sold or leased to a developer to build retail restaurant and apartment, and this investment is a larger one north of \$5 million dollars. They also reached an agreement with the Medina City Schools because this TIF is a longer than 10 year (30 year TIF) with a 50% share of the increase in taxes between the schools and the City. Mr. Coyne stated the ultimate goal here is to have the development pay for the parking deck and not the residents of the City of Medina pay for the parking deck. Kimberly explained the ordinance in front of Council this evening is to adopt the TIF, the TIF parcels and the Revenue Sharing Agreement with Medina City Schools. Kimberly stated the Parking Facility is estimated to cost about \$3.5 million dollars and the grant is for \$1 million to help offset that cost. The remaining

portion of the parking deck can be paid for by an internal advance with costs being recouped as a result of the TIF Program. The Medina City School Board met and voted to approve moving forward with the TIF. Kimberly will email a copy of the feasibility study to councilmen if they want. She put together an executive summary for the media outlining exactly what we are doing. Emergency clause is needed because they are working on the application and they have to review and approve the project for us to receive those funds and we want to submit that mid-October. Mr. Shields will abstain from voting due to his connection with the Medina City Schools. Mr. Kolesar will be voting no because he is not in favor of this project, in general he doesn't feel the need for a second parking deck. He feels this parking deck down the road will not meet the needs for the future development across the way and tying that large block into this project gives him concern. The roll was called on adding the emergency clause and failed by the yea votes of B. Lamb, P. Rose, D. Simpson, and B. Hilberg (5-1-1) J. Shields abstained and M. Kolesar cast a nay vote. The roll was called and Ordinance/Resolution No. 146-17 passed with the yea votes of B. Lamb, P. Rose, D. Simpson, and B. Hilberg. J. Shields abstained and M. Kolesar cast a nay vote.

Ord. 147-17

An Ordinance amending Chapter 1335 of the Codified Ordinances of the City of Medina, Ohio relative to the adoption of the 2017 Edition of the Ohio Building Code and Related Codes. Mr. Simpson moved for the adoption of Ordinance/Resolution No. 147-17, seconded by Mr. Kolesar. Mr. Gladish explained the State of Ohio Board of Building Standards will be adopting a newer version of the Ohio Building Code for commercial buildings and the change will be from the 2011 Ohio Building Code and Related Codes to the 2017 Ohio Building Code and Related Codes. Being that we are a state certified building department, we are required to adopt and enforce these codes. The roll was called and Ordinance/Resolution No. 147-17 passed by the yea votes of P. Rose, J. Shields, D. Simpson, B. Hilberg, M. Kolesar, and B. Lamb.

Ord. 148-17

An Ordinance to adopt, administer, and enforce a new Chapter 1345 of the Codified Ordinances of the City of Medina, Ohio relative to the 2017 Ohio Plumbing Code. Mr. Simpson moved for the adoption of Ordinance/Resolution No. 148-17, seconded by Mr. Kolesar. Mr. Gladish explained the State of Ohio Board of Building Standards will be adopting a newer version of the Ohio Plumbing Code. This will be both for residential and commercial buildings, the change will be from the 2011 to the 2017 and they are required to adopt and enforce the new codes. The roll was called and Ordinance/Resolution No. 148-17 passed by the yea votes of J. Shields, D. Simpson, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Ord. 149-17

An Ordinance authorizing the Mayor to accept a Warranty Deed from Constance L. Shepperd for part of Medina City Lot #838 located on Harmony Street, to be used for municipal purposes. Mr. Simpson moved for the adoption of Ordinance/Resolution No. 149-17, seconded by Mr. Kolesar. Mr. Huber stated this bridge culvert project involves shutting down a street. The project itself required encroachment on property owned by Ms. Shepperd. They worked out an agreement to acquire a small portion of her property to complete the property to complete the project at a cost of \$7,000.00 and this ordinance accepts the property we are acquiring to complete the project. The roll was called and Ordinance/Resolution No. 149-17 passed by the yea

votes of D. Simpson, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Ord. 150-17

An Ordinance authorizing the Mayor to enter into an Agreement with Arcadis to allow installation of a monitoring well within the City Parking lot on South Court Street.

(Subject to Law Director's final approval of proposed language) Mr. Simpson moved for the adoption of Ordinance/Resolution No. 150-17, seconded by Mr. Kolesar. Mr. Patton states they received a request from Arcadis, an environmental consulting firm, to install this monitoring well. Entering into this agreement will allow them to construct this monitoring well on our property and they will be able to monitor it over a period of time. The roll was called and Ordinance/Resolution No. 150-17 passed by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 151-17

An Ordinance amending Ordinance No. 167-16, passed December 12, 2016.

(Amendments to 2017 Budget) Mr. Simpson moved for the adoption of Ordinance/Resolution No. 151-17, seconded by Mr. Kolesar. Mr. Dirham stated the first one is an increase to the appropriations for a permit, this is the percentage of permit fees that we are required to pay to the State. We budget this each year but permits have been more extensive than previous years. The other two are donations from Mr. Morse for the Engine House painting, and the Kiwanis for the pool concessioner donation. The roll was called and Ordinance/Resolution No. 151-17 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and B. Hilberg.

Ord. 152-17

An Ordinance of the Council of the City of Medina, Ohio, certifying that when a municipal obligation was incurred sums were lawfully appropriated in the funds to satisfy the obligation and sufficient sums currently exist to satisfy this obligation.

Mr. Simpson moved for the adoption of Ordinance/Resolution No. 152-17, seconded by Mr. Kolesar. Mr. Simpson moved that the emergency clause be added to Ordinance/Resolution No. 152-17, seconded by Mr. Kolesar. Mr. Dirham stated the emergency clause is needed because the contractor has already done the work and needs to be paid. The purchase order was dated after the invoice date. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, D. Simpson, B. Hilberg, M. Kolesar, and B. Lamb. The roll was called and Ordinance/Resolution No. 152-17 was approved by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, B. Hilberg, and M. Kolesar.

Res. 153-17

A Resolution authorizing an Agreement for Grant Assistance from the State of Ohio, Ohio Facilities Construction Commission, relative to the Cultural Facilities Community Grant Program for the Medina Historic District Parking Facility Project.

Mr. Simpson moved for the adoption of Ordinance/Resolution No. 153-17, seconded by Mr. Rose. Mr. Simpson moved that the emergency clause be added to Ordinance/Resolution No. 153-17, seconded by Mr. Kolesar. Mr. Patton stated this Resolution has to do with the grant application discussed in Ordinance 146-17. In order for the City to acquire the funding they need to submit an application to the State of Ohio's Facilities Construction Commission for those funds. If authorized, this

Resolution will accomplish three things, authorize the Mayor to file the application, authorize Finance Director to submit a letter with that application stating the City share of funding is available and dedicated to the project, and if grant is awarded this will authorize the Mayor to accept the grant and enter it into the agreement required. Mr. Kolesar stated he will be voting no on this Resolution and is against a new parking deck and feels there are better options to spend the money on. Mr. Lamb stated he respects Mark's ideas and agrees they could use that kind of money on a lot of other projects, however, he is convinced that this project, if we fail, we will fail greatly, but he feels they will succeed and this project will send this City off into the new century. Mr. Shields stated he knows they are taking a chance with this, but he feels they tried to minimize the risk starting with the fact the State believed in this project enough to offer us \$1 million dollars. Looking at the history of the square and how vibrant it is right now, and we need to step forward, take the lead, and keep it vibrant for many years in the future. We are not doing this without knowing that we have very interested developers in these parcels. Jim feels it truly is for the best interest of Medina that we enter into this project and you have to take the gamble. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, B. Hilberg, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 153-17 was approved by the yea votes of J. Shields, D. Simpson, B. Hilberg, B. Lamb and P. Rose.

Council Comments:

Mr. Shields stated they have their final budget meeting is tomorrow at 5:30 p.m. in City Hall. Monday, October 16th at 5:30 p.m. there is a Strategic Planning Committee Meeting.

Adjournment:

There being no further business before Council, the meeting adjourned at 7:52 p.m.



Kathy Patton, CMC - Clerk of Council



James A. Shields, President of Council Pro-Tem

