CITY OF MEDINA AGENDA FOR COUNCIL MEETING

November 13, 2017 Medina City Hall 7:30 p.m.

Call to Order.

Roll Call.

Reading of minutes. (October 23, 2017)

Reports of standing committees.

Requests for council action.

Reports of municipal officers.

Confirmation of Mayor's appointments.

Edward R. Kinney - Chief of Police / Oath of Office

Bob Starcher - MCDAC Board - Expiring 12/31/2019

Notices, communications and petitions.

Liquor Permit:

Not to object to the issuance of a D2 and D3 permit to North Rose Management Group, LLC, 17 Public Square, Medina.

Unfinished business.

Introduction of visitors.

(speakers limited to 5 min.)

Introduction and consideration of ordinances and resolutions.

Ord. 162-17

An Ordinance authorizing an appraisal (Fair Market Value Estimate) for the Guilford Boulevard Bridge Rehabilitation Project.

(emergency clause requested)

Ord. 163-17

An Ordinance authorizing the payment of \$30,000.00 to Main Street Medina for the City's 2018 Membership Renewal.

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Ord, 164-17

An Ordinance authorizing the Mayor to enter into a First Amendment to the Master Agreement to Provide Services to an Aggregated Group between the City of Medina and FirstEnergy Solutions Corp.

Ord. 165-17

An Ordinance amending Section 133.01 of the Codified Ordinances of the City of Medina, Ohio relative to Association Memberships. (emergency clause requested)

Ord. 166-17

An Ordinance amending Ordinance No. 167-16, passed December 12, 2016. (Amendments to 2017 Budget)

Council comments.

Adjournment.

MEDINA CITY COUNCIL Monday, October 23rd, 2017

Opening:

Medina City Council met in regular, open session on Monday, October 23rd. The meeting was called to order at 7:30 p.m. by President of Council John Coyne who led the Pledge of Allegiance.

Roll Call:

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

Also present were the following members of the Administration: Mayor Dennis Hanwell, Keith Dirham, Greg Huber, Patrick Patton, Nino Piccoli, Assistant Fire Chief Mark Crumley, Acting Police Chief Lt. Birckbichler, Jonathan Mendel, Dan Gladish, and Jansen Wehrley.

Minutes:

Mr. Shields moved that the minutes from the regular meeting on Tuesday, October 10th, 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 B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Reports of Standing Committees:

<u>Finance Committee:</u> Mr. Coyne stated they met prior to tonight's Council meeting and will meet again in three weeks.

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

Public Properties Committee: Mr. Shields had no report.

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

17-190-10/23 - Budget Amendments

17-191-10/23 - Increase P.O. 2017-122 - Pradco - Police Dept.

17-192-10/23 – 2018 Membership Renewal for Main Street Medina

17-193-10/23 – Amend S&B Code, Sick Leave Donation Program

17-194-10/23 - Fair Market Value Estimates - Guilford Bridge Rehab

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported the following:

- 1) Halloween Trick or Treating is Tuesday, October 31st, from 6 p.m. to 8 p.m. for the City and Medina and Montville Townships.
- Thanks to Councilman Jim Shields and Law Director Greg Huber for joining me on an interview panel for our Police Chief finalists, Sgt. Ed Kinney, Sgt. Brett McNabb and Sgt. Scott Marcum. Three excellent candidates and I will make a conditional job offer to my selection by October 26th, which will be subject to Council confirmation at your next meeting, November 13th.
- I would like to thank Acting Chief Lt. Dave Birckbichler for his leadership in overseeing the Police Department for the past 11 months as we have worked through this process. Lt. Birchbickler did an excellent job and I am very appreciate and thankful for his efforts and commitment to the City of Medina.
- 4) State of City was presented to the Medina Chamber on September 5th and is currently posted on the City website, www.medinaoh.org. Thanks to Medina TV for taping.
- Root Candle sponsors Candlelight Walk. Events include tree and downtown lighting at 7 p.m. on Friday, November 17th; the Holiday Parade of Lights starts at Medina High School Saturday, November 18th at 5:30 p.m. and ends at Medina Square delivering Santa and Mrs. Claus. Fireworks will follow parade weather permitting, and after safe area has been cleared of pedestrians and vehicles.

Keith Dirham, Finance Director, stated there are a couple things on the agenda that originated with Finance and he will address those when they get there.

Greg Huber, Law Director, had no report.

Lt. Birckbichler, Acting Police Chief, thanked the Citizen Police Academy and the Special Police Unit there were three major events that happened on the square this past weekend and we have Halloween coming up. Without these volunteer's time and energy that they commit to us, we couldn't do what we do.

Kimberly Marshall, Economic Development Director, was absent.

Jonathon Mendel, Planning Community Director, had no report.

Mike Wright, Recreation Center Director, was absent.

Jansen Wehrley, Parks and Recreation Director, had no report.

Dan Gladish, Building Official, had no report.

Mark Crumley, Acting Fire Chief, had no report.

Patrick Patton, City Engineer, reported they have two active bridge projects occurring now on

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West Smith and North Harmony and the roads are closed at those locations. Both projects are on schedule. Reopen date is sometime mid-November. The annual Sidewalk Repair Program is underway. Contractor in the last 10 days has started repairing and there are about 180 different locations. They expect to be done in about 2 to 3 weeks. There have been calls questioning if the contractor can do more sidewalk than required and they certainly can, just give us a call if you have any questions.

Nino Piccoli, Service Director, stated the Leaf Program is moving forward. The website is updated daily with information www.medinaoh.org. We ask that you rake your leafs out to the curb and they will be there to pick them up. Sanitation Department is doing a great job with the Yard Waste Program and we intend on running that until the end of November.

Confirmation of Council's Appointments

Strategic Plan Advisory Committee - Jim Gerspacher - Exp. 12/31/18

Mr. Shields moved to confirm Council's appointment, seconded by Mr. Simpson. The roll was called and passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Notices, Communications and Petitions:

There were none.

Unfinished Business:

There was none.

Introduction of Visitors:

There were none.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 154-17

An Ordinance authorizing the payment of \$31,000.00 to Your Construction for the Private Home Rehabilitation at 914 Quincy Court, Medina as part of the PY16 CHIP Grant Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 154-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 154-17, seconded by Mr. Simpson. Mr. Mendel stated this would make a lot of improvements to an existing home here in Medina. The emergency clause was requested so the contractor can receive payment. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb. The roll was called and Ordinance/Resolution No. 154-17 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and M. Kolesar.

Ord. 155-17

An Ordinance amending Ordinance No. 107-17, passed July 10, 2017 authorizing the

payment to GB Hawk construction Co. for the Private Home Rehabilitation Project at 540 Ridge Drive as part of the PY16 CHIP Grant Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 155-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 155-17, seconded by Mr. Simpson. Mr. Mendel stated this is a change order to increase the amount of the project by \$3,100.00 for a total of \$37,735.00. Emergency clause is needed to pay the contractor. 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, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 156-17

An Ordinance amending Ordinance No. 97-17, passed June 26, 2017 authorizing the payment to GB Hawk Construction Co. for the Private Home Rehabilitation Project at 4144 St. James Drive as part of the PY16 CHIP Grant Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 156-17, seconded by Mr. Simpson. Johnathon stated this is another change order of \$320.00 to the existing project. Total contract amount with this increase is \$25,365.00. Emergency needed to pay contractor. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 156-17, seconded by Mr. Simpson. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 156-17 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb and P. Rose.

Ord, 157-17

An Ordinance amending Ordinance No. 105-17, passed July 10, 2017 authorizing the payment to GB Hawk Construction Co. for the Private Home Rehabilitation Project at 409 E. North Street, as part of the PY16 CHIP Grant Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 157-17, seconded by Mr. Simpson. Mr. Mendel stated this is a change order to an existing project of \$800.00 taking total contract amount to \$30,050.00. The emergency clause is needed to pay the contractor. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 157-17, seconded by Mr. Simpson. 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. 157-17 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 158-17

An Ordinance amending Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Intensive Supervision Probation employees for the Municipal Court. Mr. Shields moved for the adoption of Ordinance/Resolution No. 158-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 158-17, seconded by Mr. Simpson. Mr. Dirham stated this came from the court but this is the grant that they get every year and the emergency clause is needed because it is retroactive to July 1st. The roll was called on adding the emergency clause and was approved by the yea votes of D.

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Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 158-17 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, and B. Lamb.

Res. 159-17

A Resolution accepting the amounts and rates as determined by the Budget Commission, authorizing the necessary tax levies, and certifying them to the County Auditor. Mr. Shields moved for the adoption of Ordinance/Resolution No. 159-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 159-17, seconded by Mr. Simpson. Mr. Dirham stated this is required by state law and it is part of the budget process. This is required in order to get the property tax levies. Emergency clause is requested because we received this in October and it has to be returned by the end of October. 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. 159-17 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

Ord. 160-17

An Ordinance amending Section 133.01 of the Codified Ordinances of the City of Medina, Ohio relative to Association Memberships. Mr. Shields moved for the adoption of Ordinance/Resolution No. 160-17, seconded by Mr. Simpson. Mr. Dirham is adding the Ohio Association of Public Treasurers as an organization that we can join. They provide training we would like to attend. The roll was called and Ordinance/Resolution No. 160-17 passed by the yea votes of B. Hilberg, M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 161-17

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. 161-17, seconded by Mr. Simpson. Mr. Dirham stated this is a pass through of a donation. The roll was called and Ordinance/Resolution No. 161-17 passed by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Council Comments:

Mr. Rose reminded all that November 7th is Election Day. Veteran's Day is November 11th so please honor the Veteran's still here. Remember that it's because of their sacrifice that we are allowed to do what we do. Breast Cancer Awareness Month – this is something that his family has lived through and are living through, would like people to support however they can.

Mr. Kolesar thanked Acting Chief Birckbichler for being in charge for last 11 months. It was a smooth transition, and he appreciates the way he has held himself being a leader of our police department. He said he is very sorry he didn't make the final cut and he feels he should have but he is not a part of that process. On behalf of Ward 3, he wants to say thank you, we appreciate it.

Mr. Simpson echoed what Mr. Kolesar said regarding Acting Chief Birckbichler. As you well know, me personally, it has been an honor working with you all these years and the position you

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have held for the last 11 months, you excelled at. He said he is glad the Lieutenant will still be with us in a position of leadership, and he is grateful for that.

Mr. Simpson said that for the members that are running for re-election — for Council and the Administration, Mayor Hanwell, Mr. Dirham, Mr. Rose, Mr. Kolesar, and Mr. Hilberg, good luck on the election, I have appreciated working with you and I hope we can continue to work together after the election. Thank you.

Adjournment:
There being no further business before Council, the meeting adjourned at 7:52 p.m.
Kathy Patton, CMC - Clerk of Council
John M. Coyne, President of Council

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 NORTH ROSE MANAGEMENT GROUP LLC 17 PUBLIC SQUARE MEDINA OH 44256 6442035 NEW PERMIT NUMBER issue date 10 10 2017 .FILING_DATE D2 D352 077 B76618 FROM 10/20/2017 PERMIT NUMBER TYPE ISSUE DATE EH ING DATE PERMIT CLASSES TAX DISTRICT RECEIPT NO



MAILED 10/20/2017

RESPONSES MUST BE POSTMARKED NO LATER THAN.

11/20/2017

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)

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

ORDINANCE NO. 162-17

AN ORDINANCE AUTHORIZING AN APPRAISAL (FAIR MARKET VALUE ESTIMATE) FOR THE GUILFORD BOULEVARD BRIDGE REHABILITATION PROJECT, AND DECLARING AN EMERGENCY.

- **WHEREAS:** In order to complete reconstruction of the Guilford Boulevard Bridge, the City must acquire an easement from an abutting property; and
- **WHEREAS:** In accordance with ODOT guidelines, the City has engaged O.R. Colan to acquire the right-of-way and Fair Market Value Estimate; and

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

SEC. 1: That the City of Medina hereby authorizes the appraisal of O.R. Colan and accepts the Fair Market Value (FMVE) for the following parcel:

Property #DescriptionAcquisitionFMVE1MCL# 3673/PPN 028-19D-03-0061-permanent easement\$1,637.00

TOTAL \$1,637.00

- **SEC. 2:** That a copy of the appraisal is marked Exhibit A, attached hereto, and incorporated herein.
- **SEC. 3:** That the funds to cover this appraisal are available in Account 108-0610-54114.
- 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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to expedite the sometimes lengthy process; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED:		SIGNED:
		President of Council
ATTEST:		APPROVED:
	Clerk of Council	
		SIGNED:
		Mayor

VALUE ANALYSIS (\$10,000 OR LESS)

OWNER'S NAME	COUNTY	Medina
	ROUTE	Guilford Blvd
James W. McKee and Nancy D. McKee	SECTION	N/A
	PID#	101819
Based on comparable sales, which are attac	ched, the following compensation has be	en established.

Temporary taking(s) have been based on a N/A period.

Parcel # Net Take Area		Land	Improvement	Remarks	Total
1-WD	0.133 Gross/Net Acre	Residential land @\$10,000 per acre	None	Warranty Deed to be acquired in the name of The City of Medina, Ohio	\$1,330.00
1-CH	0.061 Gross/Net Acre	1		Channel Easement to be acquired in the name of The City of Medina, Ohio	\$305.00
			·	Total	\$1,635.00

Conflict of Interest Certification [49CFR 24.102(n) and OAC 5501: 2-5-06(B)(3)(a)]

- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this compensation recommendation.
- I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of such property valued, and no personal interest with respect to the parties involved.
- In recommending the compensation for the property, I have disregarded any decrease or increase in the fair market value of the real property that occurred prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner.

5. I have no bias with respect to the property that is the subject of this report of to the parties involved with this assignment.								
7.000	0-16-17	Z ZZ	10/31/17					
SIGNATURE OF PERSON PREPARING ANALYSIS TYPED NAME: Matthew Drayer	DATE	REVIEWER'S CONCURRENCE TYPED NAME: Bruce Bowman	DATE					
NAME OF AGENCY (IF DIFFERENT FROM ODOT)								
City of Medina, Ohio								
TITLE: Mayor		AGENCY SIGNATURE ESTABLISHING FMVE TYPED NAME: Dennis Hanwell	DATE					
ADMINISTRATIVE SETTLEMENT:			Barra and a second					
		F.M.V.E. AMOUNT						
		ADDITIONAL AMOUNT						
SIGNATURE	DATE	TOTAL SETTLEMENT						
TYPED NAME:		·						

(SEE REVERSE SIDE FOR ADDITIONAL DOCUMENTATION)

	Describe the 5 year sales history of the subject property:								
Grantor	Grantee	Date	Price	Comments					
James W. McKee and Nancy D. McKee	James W. McKee and Nancy D. McKee	July 15, 2013	N/A	Placed property into Survivorship					
Describe the influenthe subject property.	ce on value, if any, of prior sales of	None							
	n available from the title report that tion of the subject property.	None							

Identify the Larger Parcel: Considering unity of title, unity of use and contiguity, the subject's larger parcel consists of one tract of land identified as auditor's parcel number 028-19D-03-006 containing 10.2808 gross acres of land with 0.173 acre in PRO leaving a net usable 10.1078 acres of land, more or less subject to all legal highways. The subject property is owned by James W. McKee and Nancy D. McKee and is located on the South side of East Smith Road and West side of Guilford Blvd. in the City of Medina, Medina County Ohio and being known as part of Outlot 1044 in said township. The subject property is irregular in shape, has rolling topography and is fully wooded. The property is currently vacant.

Zoning Code:

R-1 Low Density Urban Residential

Permitted Uses:

- 1.) One family dwellings;
- 2.) Accessory buildings and uses, including home occupations, but excluding tents; cabins/cottages, mobile homes, and all other temporary living;
- 3.) Churches and other places of worship subject to Article III, Section 308 C;
- 4.) Elementary and Secondary Schools, subject to Article III, Section 308 C;

Code Definition:

- 5.) Governmentally owned and/or operated buildings and facilities other than those listed above subject to Article III, Section 308 G;
- 6.) Cemeteries subject to Article III, Section 308 E;
- 7.) Planned developments, subject to Section 403.4;

Article III: General Regulations including; Section 308 Supplemental Regulations (C. Churches and Schools, E. Cemeteries, G. Governmentally owned buildings and facilities).

Minimum Site Size:

None, however minimum lot width 100 ft at the building line, and minimum lot frontage 100 ft, except 80 ft on outside curve of public street and 60 feet on cul-de-sac turnaround. Subject currently conforms to minimum zoning site size requirements.

Utilities:

All utilities are public

Highest and Best Use:

Residential which is permitted under current zoning.

Valuation/Analys is of Sales:

Sale Number:	021	003	017
Location:	York Township Medina County Marks Road	York Township Medina County Marks Road	Montville Township Medina County Ridgewood Road
Sale Date:	4/12/17/2017	3/19/2012	3/26/2015
Sale Price:	\$77,000	\$73,500	\$40,000
Area:	8.1462 net acres	5.945 net acres	3.3075 net acres
Unit Value:	\$9,452 per net acre	\$12,363 per net acre	\$12,094 per net acre

The subject parcel consists of 10.1078 net usable acres of residential land located within the City of Medina, Medina County, Ohio. The availability of wooded sales similar in size to the subject within Medina city limits or with all public utilities were limited and the search for comparable sales data was enlarged to include surrounding townships. The sales utilized

Discussion:

comparable sales data was enlarged to include surrounding townships. The sales utilized herein are located within a similar market area as the subject, are similar in size and have access to public water and sewer. The comparable sales range in size from 3.3075 net acres to 8.1462 net acres and sold from \$9,452 to \$12,363 per net acre. Consideration has been given to all of the comparable sales with Sale 021 being the most similar to the subject's larger size, the wooded topography and is the most recent transfer.

Reconciliation:

A concluded unit value of \$10,000.00 per net acre is reasonable and supported.

Analysis of Site Improvements (support for contributory value):

There are no improvements within the WD or CH area. Contributory value of trees within the proposed WD and CH are included within the land value per net acre.

Summarize the effect of the take on the residue property:

Project description includes the replacement of two plate arch culverts with a single structure on Guilford Avenue. The project includes the following easements:

<u>Parcel 1-WD</u> which is a Warranty Deed taking needed to construct and maintain proposed culvert and water lines containing 0.133 gross/net acres.

<u>Parcel 1-CH</u> which is a Channel Easement containing 0.061 gross/net acre needed to maintain future upkeep for the existing channel associated with Champion Creek free of debris and allowing for the proper and intended hydraulic functions. Compensation for the channel easement has been determined and compensated at 50% of full fee based on new channel rights being acquired and existing channel terrain.

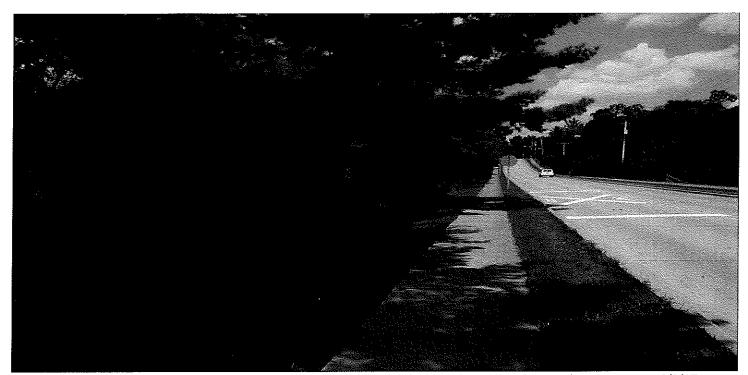
The net residue contains 9.9748 acres of land. The residue will remain within the existing legal zoning requirements and will retain the same residential highest and best use it did before the take. There are no damages or adverse effect to the residue as a result of the part taken.

Are there Severance Damages?	YES:		NO:	\boxtimes
Are there beyerance Damages:	LLD.	\Box	140.	\sim

Other Comments:

Flood Data: Panel 39103C0163D Zone X= Area to be determined to be outside of the 0.2% annual chance floodplain. Effective 8/19/2013

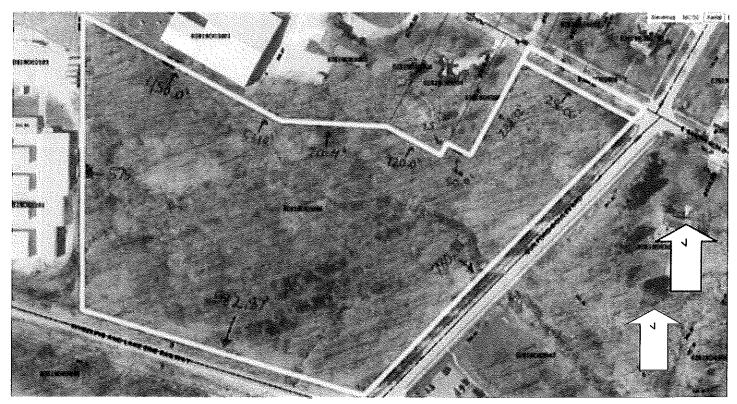
SUBJECT PHOTOS

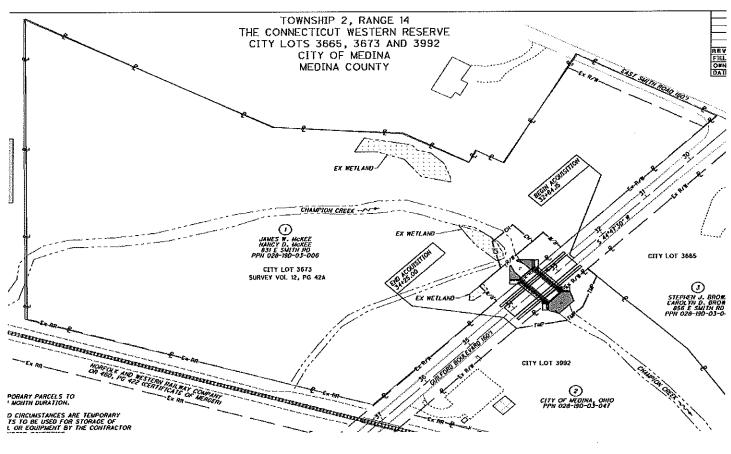


Above Photo is of the Subject Property facing North along Guilford Blvd. Photo taken by Matthew Drayer on 8/2/17. **Below Photo** is of the Subject Property facing West along Guilford Blvd. Photo taken by Matthew Drayer on 8/2/17.



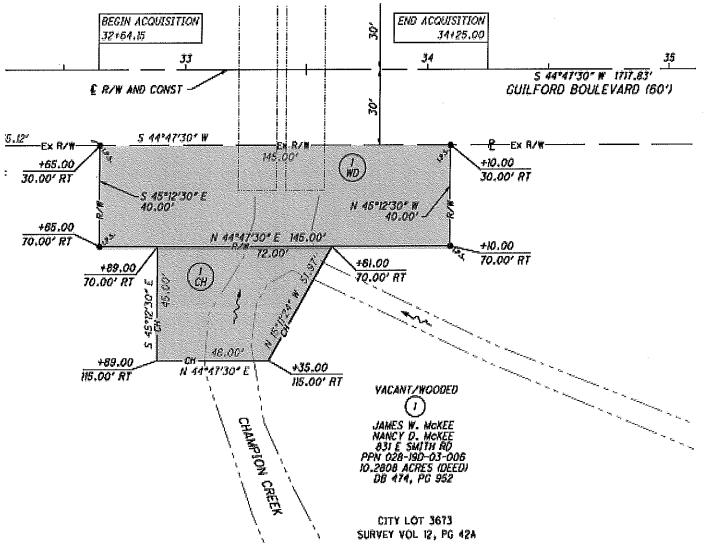
Sketch/Aerial of the Subject Parcel





Sketch and Take Area for Subject Parcel

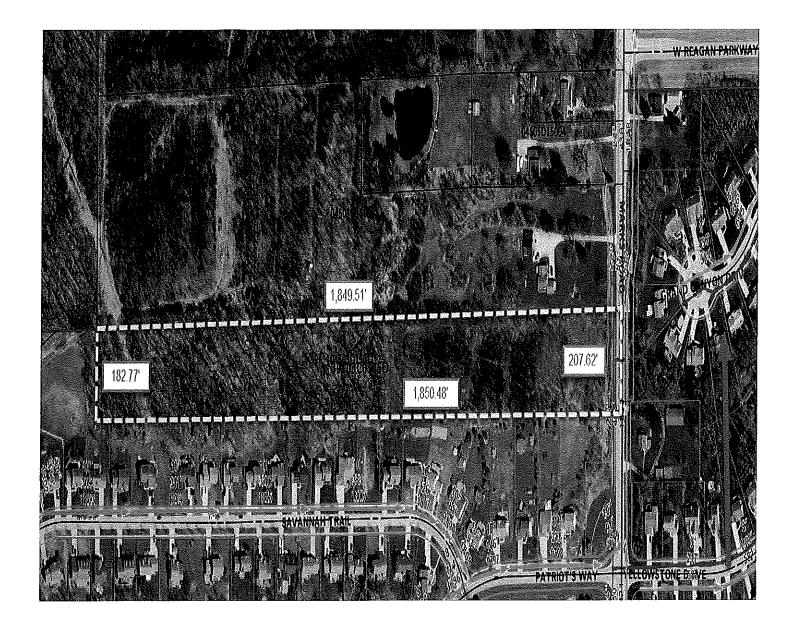
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H		- 1						i.M	l.W	NW			



VACANT LAND

r					1					
Sale #			021		Parcel Number:		045-05D-15-011			
County:			Medina		City/Towr	nship:	York Township			
Location A	ddress:	440	08 Marks Rd., Medina, OH 44256				School Dist:	Buckeye Local		
Specific Lo	cation:	Wes	st side of Marks Road south			kway ar	nd north of Yellow	stone Dr/Patriots Way		
Grantor:	Svitlana	Tuka	levska ,	Grar	ntee:	David	Deiss and Berna	dette M. Deiss		
Volume/Pag	ge:		2017OR008003	Type of Instrument: G		General Warrant	General Warranty Deed			
Date of Tra			4/12/2017	-}	Price:		\$77,000.00			
Conditions of Sale:			Arms Length	Fina	ncing:		Mortgage for \$75,000 to Third Federal			
Data Verification:				1	ne Number Verified:					
			Svitlana Tukalevska			1111	216-447-9657 on	8/4/17		
Verified By:			Kim Allensworth			COMPA	RABLE PLAT P	ICTURE		
Motivation (of Parties	:	Investment							
Highest and	l Best Us	e:	Residential							
Present Use	D:		Vacant							
Encumbran	ces:		None		, Y., 3, x, W					
Total Area (Gross)		8.2892 acres	-	We.		The state of			
Total Area (Net_		8.1462 net acres	y		W	1 100			
Zoning:	,		R-2 Residential			1		user a		
Utilities:			All Public			14.4	Burney Street			
Topography	<u>/:</u>		Level/Fully Wooded			1.		and the description of the second		
Other Pertin	nent Info:		N/A							
Street Impro	ovements	; <u>*</u>	Paved			V. 1				
Type of Imp	rovemen	ts:	None			-	15 (15 (15 (15 (15 (15 (15 (15 (15 (15 (
Unit Value:			\$9,452 per net acre							
Flood Panel Effective Da			Panel 39103C0145D Effective 8/4/2008 Zone X – Area determined to be outside of the 0.2% annual chance floodplain in which flood hazards are undetermined but considered possible.							
Remarks:										

Sketch of Sale 021



VACANT LAND

Sale #			003 F		Parcel Number:		045-05D-20-001			
	County:		Medina	City/Towr		York				
								Buckeye LSD		
Specific Lo		1	st side of Marks Road south of Patriots Way/Yellowstone Drive							
Grantor: Jeremy Carl I				Maria D Cristina		De Los Angeles a Dorsey, Co-Tr	M. Casto and Maria ustees of the Maria de Trust dated August 7,			
Volume/Page:			2012OR006316	Туре	of Instrum	ent:	Varranty Deed			
Date of Trai	nsaction:		3/19/2012	Sale	Price:	,	\$73,500			
Conditions	of Sale:		Arm's Length	Fina	ncing:		Cash			
Data Verific	ation:			Phone Number and Date Verified:			200 404 2000	0/4/0040		
			J. Kenney, Agent	3			330-421-0029 on 9/1/2013			
Verified By:			Brian Mocilnikar	COMPARABLE PICTURE						
Motivation of Parties:			Willing Buyer/Seller							
Highest and	l Best Us	e:	Residential	***						
Present Use	:		Vacant							
Encumbran	ces:		None							
Total Area (Gross)		6.76 acres							
Total Area (Net_		5.945 Net acres							
Zoning:			R-2 Residential							
Utilities:			ALL PUBLIC							
Topography	7.		Level, some woods		7					
Other Pertin	ent Info:		None Noted	365 J. W. K.			Maria de Caración			
Street Impro	vements	:	Paved							
Type of Imp	rovement	s:	Small pond		1 (1 m 2 m)					
Unit Value: Flood Panel Effective Da		near Andreas Linear Lin	\$12,363 per net acre Panel 39103C0145D Effective 8/4/2008 Zone X – Area determined to be outside of the 0.2% annual chance floodplain in	, j						
Remarks: Agent indicat	ed proper	ty co	which flood hazards are undetermined but considered possible. uld be divided into 5 lots.							

Sketch of Sale 003

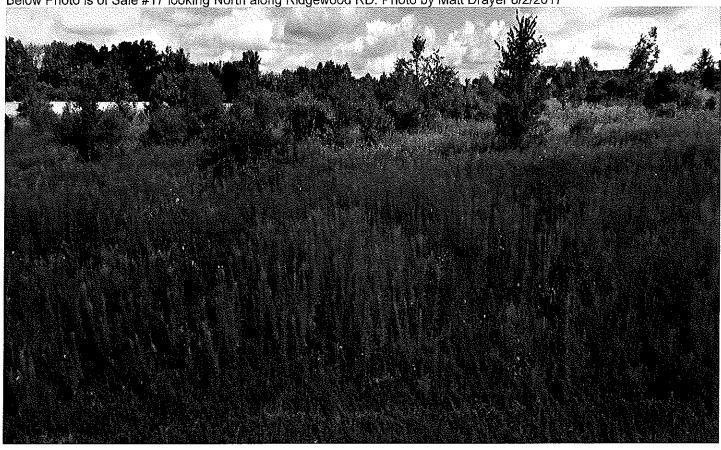


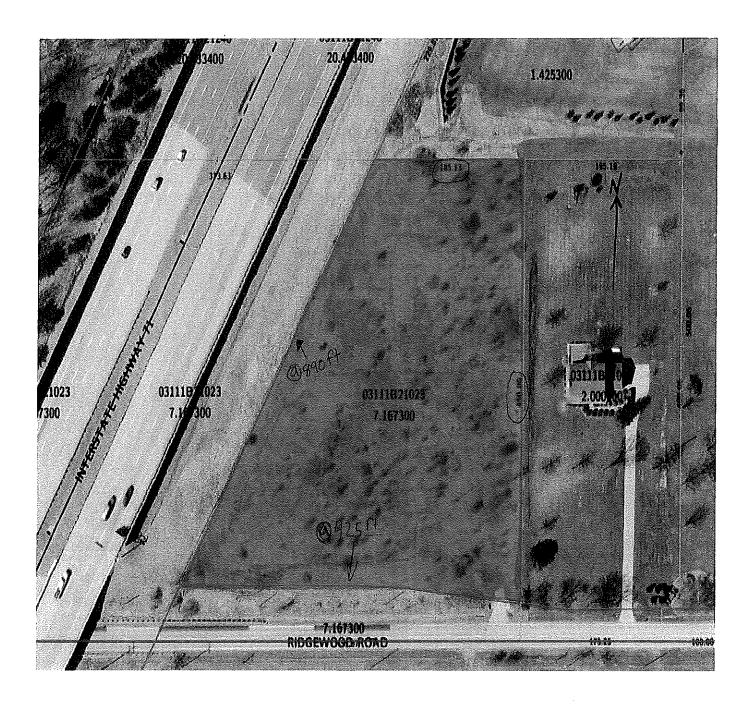
VACANT LAND

Sale #		017	Pa		Parcel Number: 0		031-11B-21-023		
County:				City/Towr		Montville Township			
		7 Ridgewood Road, Medina	OH 44		· · · · · · · · · · · · · · · · · · ·	School Dis		Highland LSD	
Specific Lo			Corner of Ridgewood Road a			West of	Windfall Roa	ad	
Grantor:			Batke and Patricia A. Batke			lbrook and Mary S. Holbrook			
Volume/Pag	 je:		2015OR006014	Type of Instrument:		· ***	Survivorship Deed		
Date of Trai	nsaction:		3/26/2015	Sale Price:			\$4	0,000.00	
Conditions	of Sale:		Arm's Length	Financing:			No		
Data Verific	ation:		8/3/2017	Whom:			Ca 16	rl Holbrook (330) 952- 40	
Verified By:			Matthew Drayer	11110		PARABL	E PLAT MA		
Motivation (•	Build House	COMPARABLE PLAT MAP AND PICTURE					
Highest and			Residential						
Present Use			Vacant Residential						
Encumbran	ces:		None						
Total Area:			7.1673 gross acres 3.3075 net acres						
Zoning:			R-1 Single Family & Low Density Residential						
Utilities:			All utilities are public						
Topography	':		Clear, Level						
Other Pertinent Info:			N/A						
Street Improvements:		Paved Asphalt						100	
Type of Improvements:		None							
Unit Value:		\$12,094.00 per net acre							
		3910C02851E		,					
Flood Data: Effective 8/19/2 Zoned X = Area to be deterr 0.2% annual Chance floodp		mined to be outside of the	_					9	

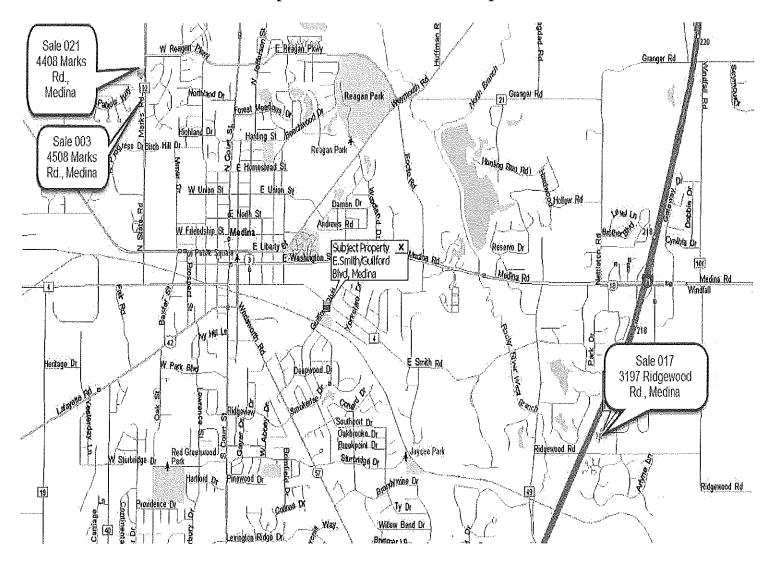


Above Photo is of Sale #17 looking NorthWesterly along Ridewood RD. Photo by Matt Drayer 8/2/2017 Below Photo is of Sale #17 looking North along Ridgewood RD. Photo by Matt Drayer 8/2/2017





Comparable Sales Location Map



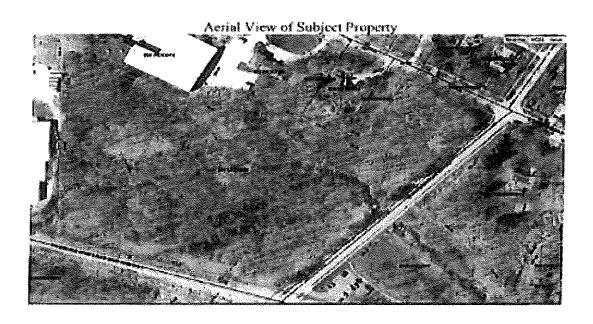
Parcel Impact Notes

This document is meant to be an aid for scoping and is absolutely not to be interpreted as steering or directing an appraiser to an opinion that is not the appraiser's. However, appraises must comply with applicable appraiser standards, including USPAP as appropriate, and ODOT's policies and procedures regarding appraisals.

Project C/R/S	MED-GUILFORD BLVD,				
PID	101819		Construction Plans	9/22	/2017
Parcel	001		R/W Plans	9/22	/2017
Owner/Tenants:	James W. McKee and Nancy D. M	cKee			
Take:	Parcel 1- WD will take via Warranty De- Parcel 1-CH is a permanent Channel Eas	ed in the name of the count containing ().	e City of Medina a gross and 061 acres for culvest repairs	i net area o and future	(0.133 acres maintenance
What is in Take?	Take natural growth (trees) along creek	arca		77-38-78-30-7-56-m ₂	
Appraisal Issues / Significant Issues:	Assessment of the Complexity of the Valuation Problem: The taking is simplistic and use of the property is not impacted by the taking. Only the land component and site improvements impacted by the taking ace included in this analysis. Parcel 1- WD will take via Warranty Deed a gross and not area of 0.133 seres, being a 40' x 145' rectangular shaped strip of land along a portion of the subject's frontage (145 feet) encompassing the creek area (Champton Creek). Parcel 1 CH is a permanent Channel Eastment containing 0.061 acres for culven repairs and future maintenance, being a topezoidal shaped tract of land adjacent to the WD taking, recompassing the creek area. For the purposes of this form, the client is the City of Medina. Onlin (the acquiring Agency), the intended use is for nequisition under the authority of embrent domain (even if the acquisition is voluntary), the defluition of value is as defined in Onlo Jusy instruction, and the effective date of the appraisal or VA Report is the date of the last inspection by the appraisar. The taking is simplistic and has no adverse effect up the property, and there are no damages to the residue property. There are no complex appraisal problems or issues. Research and analysis of comparable land sales will be needed to support a determination of the market value for the property rights taken. USPAP: Extraordinary Assumptions and Hypothetical Conditions: ODOT's Real Estate Manual requires the appraiser to notify the client prior to utilization of extraordinary assumptions or hypothetical conditions in an assignment. The person preparing the valuation report must be in agreement with the assessment of the complexity of the valuation (appraisal) problem and with the selection of the valuation report format used to communicate the property's findings and conclusions. PIN's are attached to all valuation / appraisal formats prepared for ODOT or projects subject to ODOT oversight.				
The valu	ation (appraisal) problem is:	Simplistic			
Recommended Appraisal Format:	Value Analysis Report				The second secon
Review Approiser Signature / Date Typed Name	Bruce B. Bowman, Review Appraiser				
Approved by Signature / Date Typed Name	Dennis Harwell, Mayor, City of Mediaa				
Appraiser Acknowledgement	I have reviewed the right of way plans and other pertinent parts of the construction plans, have driven by the subject, have reviewed these Parcel Impact Notes and I have independently performed my own appraisal problem analysis. I am in agreement regarding the valuation (appraisal) problem, the determination of the complexity of this problem, and I agree that the recommended format is appropriate for use during the acquisition phase of this project.				
ignature / Date yped Name	Mattle Caya 10/5/17 Mattle Drayer, Appeniser				

Google maps street view of take area (July 2013 image)





ORDINANCE NO. 163-17

AN ORDINANCE AUTHORIZING THE PAYMENT OF \$30,000.00 TO MAIN STREET MEDINA FOR THE CITY'S 2018 MEMBERSHIP RENEWAL.

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

- SEC. 1: That the Director of Finance is hereby authorized and directed to pay Main Street Medina \$30,000.00 for the city's 2018 membership renewal.
- 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 expenditure are available in Account No. 001-0707-52215.
- 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:



MAIN STREET MEDINA

39 Public Square, Suite 305 Medina, Ohio 44256 Phone: 330-722-6186 info@mainstreetmedina.com www.MainStreetMedina.com

Date:

October 10, 2017

Mayor Dennis Hanwell City of Medina 132 N. Elmwood Medina, OH 44256

Description	Amount Due	Amount Paid	Amount Owed
2018 Main Street Medina Membership renewal	\$30,000	\$0.00	\$30,000

Please remit to: Main Street Medina 39 Public Square, Suite 305 Medina, OH 44256

ORDINANCE NO. 164-17

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FIRST AMENDMENT TO THE MASTER AGREEMENT TO PROVIDE SERVICES TO AN AGGREGATED GROUP BETWEEN THE CITY OF MEDINA AND FIRSTENERGY SOLUTIONS CORP.

- WHEREAS: Ordinance No. 147-00, passed August 14, 2000, authorized placing on the November 7, 2000 ballot the question of "Shall the City of Medina have authority to aggregate to retail electric loads located in the City, and for that purpose, enter into service agreements to facilitate for those loads the sale and purchase of electricity, such aggregation to occur automatically except where any person elects to opt out?"; and
- WHEREAS: On November 7, 2000 the voters of the City of Medina approved said question; and
- WHEREAS: Ordinance No. 119-10, passed July 12, 2010, authorized the Mayor to enter into a Master Agreement between the City of Medina, Ohio and FirstEnergy Solutions Corp. to provide competitive retail electric service and related administrative services necessary to fulfill the obligations of said Agreement; and
- WHEREAS: The Master Agreement will expire in December 2018, and following research by the Service Director of the different licensed suppliers in the State of Ohio, FirstEnergy Solutions, Corp. has been recommended to continue to provide these services.

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

- SEC. 1: That the Mayor is hereby authorized and directed to enter into a First Amendment to the Master Agreement between the City of Medina, Ohio and FirstEnergy Solutions, Corp. to provide services to an aggregated group between the City of Medina, Ohio and FirstEnergy Solutions Corp.
- SEC. 2: That a copy of the First Amendment to the Master Agreement is marked Exhibit A, attached hereto and incorporated herein.
- 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:

Ord. 164-17

FIRST AMENDMENT TO THE MASTER AGREEMENT TO PROVIDE SERVICES TO AN AGGREGATED GROUP BETWEEN CITY OF MEDINA, MEDINA COUNTY, OHIO AND FIRSTENERGY SOLUTIONS CORP.

This First Amendment ("Amendment") is entered into this ________, day of ________, 2017 ("Effective Date"), by and between City of Medina, Medina County, Ohio ("City" or "Governmental Aggregator"), an Ohio municipality, and FirstEnergy Solutions Corp. ("FES"), an Ohio corporation with its principal place of business at 341 White Pond Drive, Akron, Ohio (collectively, the "Parties").

RECITALS

WHEREAS, FES and City are parties to a certain Master Agreement to Provide Services to an Aggregated Group dated August 16, 2010 ("Agreement");

WHEREAS, the Parties mutually agree to renew the Agreement for the term beginning with December 2018 meter read dates through December 2021 meter read dates ("Renewal Term");

WHEREAS, the Parties mutually agree to amend the Agreement by replacing paragraph 4.2 <u>Additional Costs</u> in its entirety describing the pass through of additional costs imposed by an ISO or a RTO on FES that are not otherwise reimbursed by the EDU to FES or included in the EDU's Price to Compare.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained and other good and valuable consideration, the receipt, sufficiency and adequacy of which are hereby acknowledged, the parties hereto agree as follows:

- 1. During the Renewal Term, Participating Customers shall be billed in accordance with the Pricing provisions contained in the Renewal Term's First Amendment Attachment A to Master Agreement Between City of Medina, Medina County, Ohio and FirstEnergy Solutions Corp. ______2017 attached ("Attachment A").
- 2. The Parties agree to amend the Agreement by replacing paragraph 4.2 Additional Costs in its entirety, as follows:
- 4.2 Additional Costs. In the event that (1) the PUCO approves or implements a phase-in credit for generation and/or transmission charges of the Electric Distribution Utility ("EDU") or takes any other action which affects the Price to Compare ("PTC") or otherwise does not allow the EDU to reflect the full cost to procure generation and transmission in the PTC or other regulatory action; or (2) there is any change in any statute, rule, regulation, order, law, or tariff promulgated by any court, governmental authority, utility, Independent System Operator ("ISO"), Regional Transmission Organization ("RTO") or other service provider, or any change in operating procedure, which alters to the detriment of FES its costs to perform under this Agreement, Participating Customers may receive a notification from FES. This notification will include a description of one or more of the situations described above. FES

may offer Participating Customers new Terms and Conditions. Participating Customers must indicate affirmative consent to the new Terms and Conditions as specified in the notices. If Participating Customers do not contact FES to accept the new terms, the Participating Customer(s) individual terms and conditions with FES will terminate on the date specified in the notices, and Participating Customer(s) may be returned to the EDU for Retail Electric Service. Alternatively, FES may decide to terminate this Agreement, and Participating Customers will receive at least 30 days' prior written notice of the termination, after which Participating Customers may be returned to the EDU for Retail Electric Service. Whether FES offers Participating Customers new terms or terminates this Agreement under this provision, Participating Customers will not be responsible for the cancellation/termination fee (if any) set forth in the Pricing Attachment. Participating Customers must still pay all FES charges through the date they are returned to their EDU or switched to another CRES provider for service.

3. All other provisions of the original Agreement shall remain unchanged.

IN WITNESS WHEREOF, the undersigned have caused this Amendment to be duly executed as of the Effective Date.

CITY OF MEDINA OHIO

Signed:
Printed:
Title:
Date:

FIRSTENERGY SOLUTIONS CORP

First Amendment Attachment A to Master Agreement Between City of Medina Medina County Ohio

City of Medina, Medina County, Ohio and FirstEnergy Solutions Corp. 2017

Pricing and Other Conditions to Retail Generation Service Offer

Renewal	Term:
---------	-------

Beginning with December 2018 meter read dates through December 2021 meter read dates.

Renewal Pricing:

Residential:

6% off the Price to Compare

Commercial:

4% off the Price to Compare

EDU:

Ohio Edison

Eligible Rate Codes:

Standard Residential Rate (RS) General Service Commercial Rate (GS)

National accounts (e.g. McDonald's, BP, Dollar General) as well as any eligible commercial accounts with annual usage over 700,000 must "opt-in" to the program.

Termination Fee:

None

Civic Grant:

FES shall pay a grant to the City in the amount of \$0.0003 per annual kwh delivered/consumed and paid for by Members under the Aggregation Program at the end of each year of the above Term as follows:

Aggregation Program Annual kwh	Grant Payable
December 2018 – December 2019 meter read dates	March 2020
December 2019 – December 2020 meter read dates	March 2021
December 2020 – December 2021 meter read dates	March 2022

Administrative Services:

- Design, print and mail the Opt-out letter to all eligible participants including a sheet of Frequently Asked Questions to provide assistance.
- Administer the Opt-out process including database preparation, handling of opt-out form information, and final enrollment list compilation.
- Provide a call center to handle information calls.
- Prepare the required PUCO reports and on-going certification documents.
- Conduct supplemental opt-out mailings on a periodic basis.

ORDINANCE NO. 165-17

AN ORDINANCE AMENDING SECTION 133.01 OF THE CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO RELATIVE TO ASSOCIATION MEMBERSHIPS, AND DECLARING AN EMERGENCY.

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

City

The Ohio Municipal League

Medina County Economic Development Corporation

National League of Cities

Medina County Municipal Association

Ohio Conference of Community Development, Inc.

Wadsworth Chamber of Commerce Institute for Sustainable Infrastructure

Community University Purchasing Association (CUE)

MEC (Metropolitan Educational Council) Health & Wellness

Alliance

Greater Medina Chamber of Commerce

Heritage Ohio

National Joint Powers Alliance

Main Street Medina

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 City Association Memberships shall be amended as follows:

City

The Ohio Municipal League

Medina County Economic Development Corporation

National League of Cities

Medina County Municipal Association

Ohio Conference of Community Development, Inc.

Wadsworth Chamber of Commerce Institute for Sustainable Infrastructure

Community University Purchasing Association (CUE)

MEC (Metropolitan Educational Council) Health & Wellness

Alliance

Greater Medina Chamber of Commerce

Heritage Ohio,

National Joint Powers Alliance

Main Street Medina

Greater Akron Chamber of Commerce

- 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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to have membership in place by December 1, 2017; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and signature by the Mayor.

PASSED:		SIGNED:
		President of Council
ATTEST:	Clerk of Council	APPROVED:
		SIGNED:

ORDINANCE NO. 166-17

AN ORDINANCE AMENDING ORDINANCE NO. 167-16, PASSED DECEMBER 12, 2016. (Amendments to 2017 Budget)

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

SEC. 1: That Ordinance No. 167-16, passed December 12, 2016, shall be amended by the following additions:

Account No./Line Item	Additions
902-0355-52215 (Bicentennial Donation-Sandridge)	5,000.00 *
902-0355-52215 (Bicentennial Donation-Waite)	500.00 *
902-0355-52215 (Bicentennial Donation-Image Builders)	500.00 *
902-0355-52215 (Bicentennial Donation-Palker)	50.00 *
902-0355-52215 (Bicentennial Donation)	. 15.00 *
902-0355-52215 (Bicentennial Coloring Books)	990.00 *
902-0355-52215 (Bicentennial Hats)	625.00 *
902-0355-52215 (Bicentennial Donation-Steingass)	1,500.00 *
902-0355-52215 (Bicentennial Donation-Medina Gem)	500.00 *
902-0355-52215 (Bicentennial Donation-Smith/Cole)	500.00 *
902-0355-52215 (Bicentennial Donation-Anderson)	300.00 *
902-0355-52215 (Bicentennial Donation-620 Corp.)	2,500.00 *
902-0355-52215 (Bicentennial Donation-Wilder)	300.00 *
902-0355-52215 (Bicentennial Donation-Doermann)	100.00 *
902-0355-52215 (Bicentennial Donation-Palmer)	100.00 *
939-0430-52213 (Building Permits)	3,000.00 *

- 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:	APPROVED:
Clerk of Council	
	SIGNED:
	Mayor