

CITY OF MEDINA
AGENDA FOR COUNCIL MEETING

June 11, 2018
Medina City Hall
7:30 p.m.

Call to Order.

Roll Call.

Reading of minutes. (May 29, 2018)

Reports of standing committees.

Requests for council action.

Reports of municipal officers.

Notices, communications and petitions.

Confirmation of Council committee appointments.

Health, Safety & Sanitation Committee, Chair – Dennie Simpson
Board of Building Appeals – Dennie Simpson (exp. 12/31/19)
EMS Advisory Board – Dennie Simpson
Joint Ambulance District – Dennie Simpson
Pro QA Steering Committee – Dennie Simpson

Unfinished business.

Introduction of visitors.
(speakers limited to 5 min.)

Introduction and consideration of ordinances and resolutions.

Ord. 93-18

An Ordinance rezoning 120 N. Court Street and 125 E. Liberty Street from C-2 to P-F, and 360 Foundry Street from R-3 to O-C.

Ord. 94-18

An Ordinance authorizing the Mayor to execute a Revocable Use Permit with Birch Family Limited Partnership IV to use or occupy a portion of North Broadway public right-of-way at 100 Public Square with a business identification sign.

Ord. 95-18

An Ordinance amending Ordinance No. 5-18, passed January 8, 2018, relative to bids and awarding a contract for the Champion Creek Multi-Purpose Path and Streetscape Project.
(emergency clause requested)

Ord. 96-18

An Ordinance authorizing the payment to Your Construction for the private home rehabilitation at 27 Circle Drive, Medina, Ohio as part of the PY16 CHIP Grant Program.
(emergency clause requested)

Ord. 97-18

An Ordinance authorizing the Mayor to sign the Plat of Survey creating new Medina City Lots.

Ord. 98-18

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

Council comments.

Adjournment.

MEDINA CITY COUNCIL

Tuesday, May 29, 2018

Public Hearing (7:30 p.m.)

To consider the rezoning of 120 N. Court Street & 125 E. Liberty Street from C-2 to P-F and 360 Foundry Street from R-3 to O-C.

For:

Mr. Mendel, Community Development Director stated this is a public hearing for the City initiated rezonings of city-owned properties, in different parts of the city. The Planning Commission recommended the rezoning of 3 properties at two different sights.

Against:

No one spoke against the rezoning on these properties.

The public hearing was closed at 7:33 p.m.

Opening:

Medina City Council met in regular, open session on Tuesday, May 29, 2018. The meeting was called to order at 7:33 p.m. by President of Council John Coyne who led the Pledge of Allegiance.

Roll Call:

The roll was called with the following members of Council present L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Lamb. Ward 3 vacant.

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

Minutes:

Mr. Shields moved that the minutes from the regular meeting on May 14, 2018 as prepared and submitted by the Clerk be approved. The roll was called and the minutes were approved by the yeas of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Lamb, and L. Parnell-Cavey.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated the Finance Committee met prior to this evening's Council meeting and will meet again June 11th.

Health, Safety & Sanitation Committee:

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb had no report.

Streets & Sidewalks Committee: Mr. Simpson stated there is a Streets & Sidewalks meeting scheduled for June 19th but the time is still pending for either 5:00 p.m. or 5:30 p.m.

Water & Utilities Committee: Mrs. Parnell-Cavey had no report.

Emerging Technologies Committee: Mr. Rose had no report.

Requests for Council Action:

Finance Committee

- 18-107-5/29 – Worker’s Compensation MCO/TPA
- 18-108-5/29 – Expenditure Over \$15,000 – Two New Back-Up Servers – IT
- 18-109-5/29 – Expenditure – Purchase New Back-Up Software & Support – IT
- 18-110-5/29 – Reimburse Grant Funds to Ohio Development Service Agency – PY14 CHIP
- 18-111-5/29 – Replat of City Hall and Surrounding City Property
- 18-112-5/29 – Amend Ord. 5-18 – Champion Creek MP Path & Streetscape Project
- 18-113-5/29 – Income Tax Allocation for Unanticipated Capital Necessities Fund
- 18-114-5/29 – Draft Lease Agreement – CDC at Medina Engine House
- 18-115-5/29 – PY16 CHIP Private Rehab – 27 Circle Drive

Streets & Sidewalks Committee

- 18-116-5/29 – Streetlights on Reagan Parkway

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported the following:

- 1) Outstanding community events - very well attended:
 - a. Thanks to Friends of Cemetery for Civil War Encampment activities Saturday, May 26th. This was well attended and well organized.
 - b. Thanks to Medina County Road Runners for hosting the fifth annual half marathon and 5k race Saturday, May 26th. Over 1,000 attendees from numerous states and surrounding communities. Showcased city very well and supports local non-profits. Sgt. Nate Simpson and Finance Director Keith Dirham both completed the half marathon - congratulations.
 - c. Monday, May 28th, Memorial Day Parade. Dave Taylor organized and coordinated the event. Well attended and well participated in. Square and cemetery looked excellent thanks to Jansen’s team.
 - d. Monday, May 28th, ceremony to remember Vietnam Veterans at Vietnam Veteran Memorial on Northland Drive, north side of Veterans office. Again, well attended for extreme heat and temperatures yesterday.
- 2) First Community Band Concert will be on Public Square this coming Friday, June 1st, at 8:30 p.m., weather permitting.
- 3) Saturday, June 2nd, 9 a.m. to 2 p.m. - Kids Day of Fun and Safety at Public Square- Sponsored by the Cleveland Clinic Medina Hospital and Main Street Medina.
- 4) Ormaco Jazz Concert on Public Square Saturday, June 2nd at 7 p.m. Thanks to sponsor to keep the jazz series available in Medina. This evening performance will be Bobby Selvaggio on Saxophone.

Medina City Council
May 29th, 2018

Keith Dirham, Finance Director, Mr. Dirham spoke of the events over Memorial Weekend especially seeing Councilman Dennie Simpson speaking at the Encampment over at Spring Grove Cemetery and Councilman Paul Rose dressed up in Civil War garb playing a trumpet.

Greg Huber, Law Director, had no report.

Chief Kinney, Police Department, stated they had a very busy weekend in the Police Department as well, with all the events. The Chief thanked his Specials Unit and the Citizens Police Academy Alumni Association for all they did and stated they couldn't have handled all those events and the associated traffic with it if it wasn't for their assistance.

Kimberly Marshall, Economic Development Director, was absent.

Jonathan Mendel, Planning Community Director, had no report.

Chief Painter, Fire Department, had no report.

Mike Wright, Recreation Center Director, Stated that the Memorial Pool is now open from 7 a.m. to 7 p.m. every day of the week. He thanked the community for coming out and showing their support this weekend. Reminder for anyone that qualifies for the school lunch program that your membership at the outdoor pool is 50% off and so for a family of 5 that would only be \$100 for the summer and day passes would only be \$4. Note to our Senior Silver Sneaker Optimum Prime Members, your Rec membership ID cards can now also be used at the outdoor pool. Next Rec Advisory Board meeting will be Thursday, June 21st at 7:30 a.m. at the Rec Center.

Jansen Wehrley, Parks and Recreation Director, Jansen thanked his staff for all their efforts the last couple of weeks preparing everything for Memorial Day and putting in extra hours to make sure everything was ready. Jansen announced that the Splashpads are open, Fred Greenwood Park is 11 a.m. to 8 p.m. and Ray Mellert Park is 12 p.m. to 8 p.m. weather permitting.

Dan Gladish, Building Official, Stated Carlise Brake and Friction with their 150,000 sq. ft. addition is close to completion and close to starting up its new production lines. Rico Manufacturing's 16,320 sq. ft. addition is half complete. Spray Products, which took over the existing vacant 208,000sq. ft. Valspar building, is expected to start up its first production line this week.

Patrick Patton, City Engineer, gave updates for Rt. 42 stating asphalt paving on the east side of the road has begun, and within the next two to three weeks they will flip traffic and begin the other side. Forest Meadows work should be done this week and he anticipates the road being open next week. Patrick wanted to notify the public of two projects that will affect the traffic for residents and businesses: Construction on the Guilford Blvd. Bridge is expected to start next week and they will be issuing letters to all the residents in the area and some other advertising to get the word out. This construction will require a 63 day closure of Guilford Blvd. south of Smith Rd. East Smith Road between Court and Jefferson is also expected to start within the next couple of weeks.

Nino Piccoli, Service Director, stated that service crews are repairing catch basins all throughout the city that have failed over the winter. The Sanitation crews have started picking up yard waste and will do so until the end of November. The yard waste truck will have a little delay in pick up and we ask for your patience, it doesn't follow directly behind the regular sanitation truck.

High grass letters have been sent out in every ward and with the recent rains some folks have got a little behind in cutting. We have our high grass contractor out mowing the ones that are in violation.

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:

Res. 088-18:

A Resolution authorizing the adoption of the 2018 Strategic Plan Update for the City of Medina. Mr. Shields moved for the adoption of Ordinance/Resolution No. 088-18, seconded by Mr. Simpson. Mr. Coyne spoke of the 2018 Strategic Plan and their members being himself as the Committee Chairman, Jim Shields – Council Representative, Mayor Dennis Hanwell - Administrative Representative, Nino Piccoli - Administrative Representative, Allysa Williams - Ward 1 Representative, Clay Benjamin - Ward 2 Representative, Nicole Glatz - Ward 3 Representative, Paul Pfeiffer - Ward 4 Representative, Jim Gerspacher – At-Large Representative and Stanley Sheetz – At-Large Representative alternate, and Kathy Patton our Clerk of Council kept notes and modified the document. Mr. Coyne stated one of the main initiatives that came out of the plan through our discussions was that the committee believed that there should be a council representative that monitors each of the goals in the plan and give updates every quarter to make sure they stay focused. John thanked the committee for their efforts. The roll was called and Ordinance/Resolution No. 088-18 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Lamb, L. Parnell-Cavey, and P. Rose.

Res. 089-18:

A Resolution accepting four (4) donations received from various sponsors to go towards the Medina City Police Department K9 Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 089-18, seconded by Mr. Simpson. Chief Kinney is requesting authorization to accept these four donations and have those funds allocated to the K9 Program. The roll was called and Ordinance/Resolution No. 089-18 passed by the yea votes of D. Simpson, J. Coyne, B. Lamb, L. Parnell-Cavey, P. Rose, and J. Shields.

Ord. 090-18:

An Ordinance adopting a new Chapter 162 of the Codified Ordinances of the City of Medina, Ohio regarding Municipal Income Tax. Mr. Shields moved for the adoption of Ordinance/Resolution No. 090-18, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 090-18, seconded by Mr. Simpson. Mr. Dirham states this is in response to state law changes that the state legislator has made and ongoing litigation regarding those changes. Keith thanked the Law Department for all the time they put into this. Mr. Coyne states they corrected the issue of a possible double taxation. Mr. Rose states the only reason he is voting yes for this is because it helps the residents. The roll was called on adding the emergency clause and was approved by the yea votes of B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 090-18 passed by the yea votes of J. Coyne, B. Lamb, L. Parnell-Cavey, P. Rose, J. Shields, and D. Simpson.

Ord. 091-18:

An Ordinance authorizing the Mayor to execute a Revocable Use Permit to 226 South Court Street (PPN 028-19B-20-110) to use or occupy a part of the City Right-of-Way an existing enclosed stairwell attached to and abutting the main structure. Mr. Huber explained this revocable use permit applies to the property that involved the building wall that collapsed near the downtown square. In the process of starting the rebuild, the property itself was resurveyed and discovered that the stairwell at the back of the building encroaches on city right-of-way and they are presenting to council a use permit that allows the property to continue the use but also establishes the city right-of-control over that property. Mr. Shields moved for the adoption of Ordinance/Resolution No. 091-18, seconded by Mr. Simpson. The roll was called and Ordinance/Resolution No. 091-18 passed by the yea votes of L. Parnell-Cavey, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Lamb.

Ord. 092-18:

An Ordinance authorizing the City of Medina to join the Ohio Association of Public Treasurer's Bureau of Worker's Compensation Pool, and authorizing the expenditure to CompManagement to continue to be the City's representative for Bureau of Worker's Compensation matters. Mr. Shields moved for the adoption of Ordinance/Resolution No. 092-18, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 092-18, seconded by Mr. Simpson. Mr. Dirham stated the history on this is that we've been in a pool with the Ohio Municipal League where our TPA/MCO was CompManagement and OML decided to switch to Care Works and we had no notice of that switch at all. We are asking to switch to The Ohio Association of Public Treasurer's Pool because we will still be with CompManagement at that point. Emergency clause is needed due to open enrollment being in May. The roll was called on adding the emergency clause and was approved by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Lamb, L. Parnell-Cavey, and P. Rose. The roll was called and Ordinance/Resolution No. 092-18 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Lamb, and L. Parnell-Cavey.

Council Comments:

Laura Parnell-Cavey thanked everyone that joined them at Ray Mellert Park for a community cleanup. Around 20 people showed up and they collected 17 bags of trash. Laura stated she plans on scheduling more in the future.

Councilman Simpson spoke of the Encampment at the Spring Grove Cemetery this weekend and thanked the Mayor, Police Chief, Law Director, Service Dept. and the 8th Ohio Volunteer Infantry along with three of the reenactors. Dennie thanked Jansen and his staff for the caretaking of the cemetery and how good it looked just like all our parks. Dennie extended his gratitude to the Friends of the Cemetery for putting this event on for part of the Medina Bicentennial. Dennie ended with thanking Councilman Paul Rose who spent the entire day in a Civil War uniform sounding the horn every time there was an event getting ready to start throughout the day. Dennie also said that the Marathon was a huge success story for the City of Medina, and he acknowledged Ron Ross and his entire staff in helping organize the marathon. He congratulated his wife for running the first time in this marathon and wished her a Happy Birthday.

At-Large Council Representative Lamb spoke of the Encampment and how well it was organized and how so many people attended that and the Marathon and Farmer's Market. He was told many times how beautiful the square looked.

Rock'n the Court, a music event on South Court Street is on June 9th from 4 p.m. – 7 p.m. Come check out the bands, food and other sorts of entertainment.

Weather permitting the Orchard Project planting of the first orchard will be at 5:30 p.m. on Thursday. Planting will take place on the corner of Jefferson and East Liberty.

Bill thanked Laura Parnell-Cavey for the community trash cleanup.

At-Large Council Representative Paul Rose stated Mr. Dennie Simpson deserves a huge accolade, he was the Master of Ceremonies and kept everything running on schedule.

Mr. Rose stated he had the privilege and honor to be in Milan Italy on Liberation Day April 25th and the Beaches of Normandy on May 8th and how it was a very humbling experience for him.

Councilman Shields stated when he thinks of the Mayor's State of the City addresses and he said "What was so special about Medina" I think we just heard everything that is so special about Medina.

Council President John Coyne announced that Wednesday, June 6th is a budget hearing.

John stated they have a vacancy on council and June 1st is the deadline for a Ward 3 resident to apply to fill the vacancy by filling out an application and submit it to Kathy Patton.

Medina City Council
May 29th, 2018

Adjournment:

There being no further business before Council, the meeting adjourned at 8:45 p.m.

Kathy Patton, CMC - Clerk of Council

John M. Coyne, President of Council

ORDINANCE NO. 93-18**AN ORDINANCE REZONING 120 N. COURT STREET AND
125 E. LIBERTY STREET FROM C-2 TO P-F, AND 360
FOUNDRY ST. FROM R-3 TO O-C.**

WHEREAS: The subject sites are City owned properties and rezoning would align with the zoning of other City owned facilities and parks; and

WHEREAS: The Planning Commission at its regular meeting held March 8, 2018, recommended approval City Council of the rezoning; and

WHEREAS: The notice of public hearing by Medina City Council was duly published and the hearing was duly held May 29, 2018.

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

- SEC. 1:** That the City owned properties located at 120 N. Court Street (PPN 028-19B-20-138) and 125 E. Liberty Street (PPN 028-19B-20-136) shall be rezoned from C-2, Central Business to P-F, Public Facilities.
- SEC. 2:** That the City owned property located at 360 Foundry Street (PPN 028-19A-16-011) shall be rezoned from R-3, High Density Urban Residential to O-C, Open Space Conservation.
- SEC. 3:** That the City Engineer is hereby directed to amend the zoning map as necessary to correctly reflect this change in zoning.
- SEC. 4:** That a drawing and Zoning Description of rezoning, is attached hereto and incorporated herein.
- SEC. 5:** 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. 6:** 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

Effective date –

ORDINANCE NO. 94-18

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A REVOCABLE USE PERMIT WITH BIRCH FAMILY LIMITED PARTNERSHIP IV TO USE OR OCCUPY A PORTION OF NORTH BROADWAY PUBLIC RIGHT-OF-WAY AT 100 PUBLIC SQUARE WITH A BUSINESS IDENTIFICATION SIGN.

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

- SEC. 1:** That the Mayor is hereby authorized to execute a Revocable Use Permit with Birth Family Limited Partnership IV to use or occupy a 38.25 square foot portion of the North Broadway public right-of-way located adjacent to the east of the Permittee's leased property at 100 Public Square, Permanent Parcel No. 028-19B-20-047, with a business identification sign.
- SEC. 2:** That a copy of the Revocable Use Permit is marked Exhibit A, attached hereto and incorporated herein.
- SEC. 3:** That the Clerk of Council is hereby directed to file the Revocable Use Permit with the Medina County Recorder.
- 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

REVOCABLE USE PERMIT

Permission is hereby granted to **Birch Family Limited Partnership IV** ("Permittee") to use or occupy a 38.25 square foot portion of the North Broadway public right-of-way located adjacent to the east of the **Permittee's** leased property at 100 Public Square (Permanent Parcel #028-19B-20-047) with a business identification sign. The area of encroachment and sign plans are shown on the attached exhibits and legal description.

The granting of this permit shall not be construed as an abridgement or waiver of any rights which the **City of Medina** has in exercising its jurisdictional powers and this permit shall be binding upon the **City of Medina** and the **Permittee**, his/her/its heirs, successors and assigns.

The City of Medina, for any reason and at any time, may order removal of the encroachments that are the subject of this use permit. If for any reason the **City of Medina** or its duly authorized representative deems it necessary to order the removal, reconstruction, relocation or repair of the encroachments, it shall be promptly undertaken at the sole expense of **Birch Family Limited Partnership IV**. Failure on the part of the **Permittee** to conform to the provisions of this permit will be cause for suspension, revocation or annulment of this permit, as the **City of Medina** deems necessary, and the City may remove the encroachment at the **Permittee's** sole expense. The **Permittee** agrees to indemnify and hold the **City of Medina** harmless from any claims by any person for personal injury or damages allegedly arising from the existence or maintenance of the encroachment.

No alterations may be made to the encroachments except that the **Permittee** may perform such routine maintenance as is required to keep the encroachment in good condition. If the encroachments are removed or destroyed, no new facilities shall be permitted to encroach on the public right-of-way of North Broadway Street without the express, written consent of the **City of Medina**. The encroachments for which this permit is issued shall be subject to all permits required by the **City of Medina**. Plans for the intended encroachments is attached to and incorporated into this permit. The intended encroachment shall be removed once the subject business, Ohio Real Title, leaves the subject premise at 100 Public Square (Permanent Parcel #028-19B-20-047).

Any requests relative to these encroachments shall be made in writing to the following:

Law Director
City of Medina
132 North Elmwood
P.O. Box 703
Medina, OH 44258

Dated at Medina, Ohio, this _____ day of _____, 2018,

CITY OF MEDINA

By: _____
DENNIS HANWELL, Mayor

STATE OF OHIO)
)ss:
COUNTY OF MEDINA)

BEFORE ME, a Notary of Public in and for said county and state, personally appeared the above-named, City of Medina, by Dennis Hanwell, its Mayor, who executed the foregoing instrument in my presence and acknowledged the same to be the voluntary act of said City and her voluntary act individually and as such officer.

IN TESTIMONY WHEREOF, I have set my hand and official seal this _____ day of _____, 2018, at Medina, Ohio.

NOTARY PUBLIC

Accepted this _____ day of _____, 2018.

By: _____
BIRCH FAMILY LIMITED PARTNERSHIP IV
OWNER – 100 PUBLIC SQUARE

STATE OF OHIO)
)ss:
COUNTY OF MEDINA)

BEFORE ME, a Notary of Public in and for said county and state, personally appeared the above-named, City of Medina, by a representative of Birch Family Limited Partnership IV, who executed the foregoing instrument in my presence and acknowledged the same to be the voluntary act of said City and her voluntary act individually and as such officer.

IN TESTIMONY WHEREOF, I have set my hand and official seal this _____ day of _____, 2018, at Medina, Ohio.

NOTARY PUBLIC

Prepared by:
Gregory Huber
Law Director – City of Medina



File No. 18-032
March 27, 2018

EASEMENT DESCRIPTION
Parcel 028-19B-20-047
100 Public Square
Medina, Ohio

Situated in the City of Medina, County of Medina and State of Ohio, and known as being part of North Broadway Street Right-of-Way (99 feet wide), and more fully described as follows:

Commencing for Reference at the intersection of the westerly side of North Broadway Street and the northerly side Public Square (Liberty Street) (66 feet wide), at the southeast corner of Lot No. 82 of the Original Plat of the City of Medina, on the Medina Township Side of City; Thence, North $00^{\circ}-26'-04''$ West along the westerly side of North Broadway Street, a distance of 69.65 feet to a point; Thence, North $89^{\circ}-33'-56''$ East, a distance of 0.59 feet to the face of an existing 2 Story Brick Building, and being the **TRUE PLACE OF BEGINNING** of the parcel herein to be described;

Course No. 1: thence, **North $00^{\circ}-26'-04''$ West** along the easterly face of said Brick Building, a distance of **2.99 feet** to a point;

Course No. 2: thence, **North $89^{\circ}-33'-56''$ East**, a distance of **12.75 feet** to a point;

Course No. 3: thence, **South $00^{\circ}-26'-04''$ East**, a distance of **2.99 feet** to a point;

Course No. 4: thence, **South $89^{\circ}-33'-56''$ West**, a distance of **12.75 feet** to the place of beginning, and containing **0.0009 acres** (38 square feet) of land more or less, as prepared in March 2018 by **McSteen & Associates, Inc.** under Project No. 18-032, and being subject to all legal highways and easements of record.

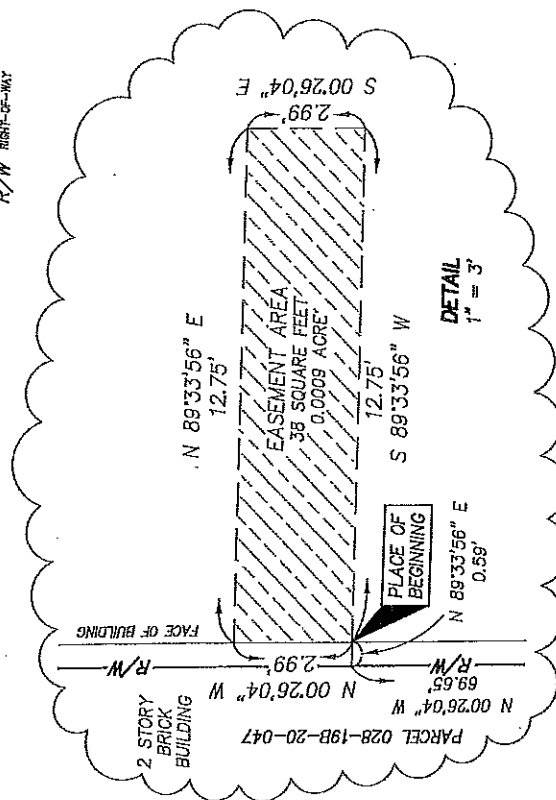
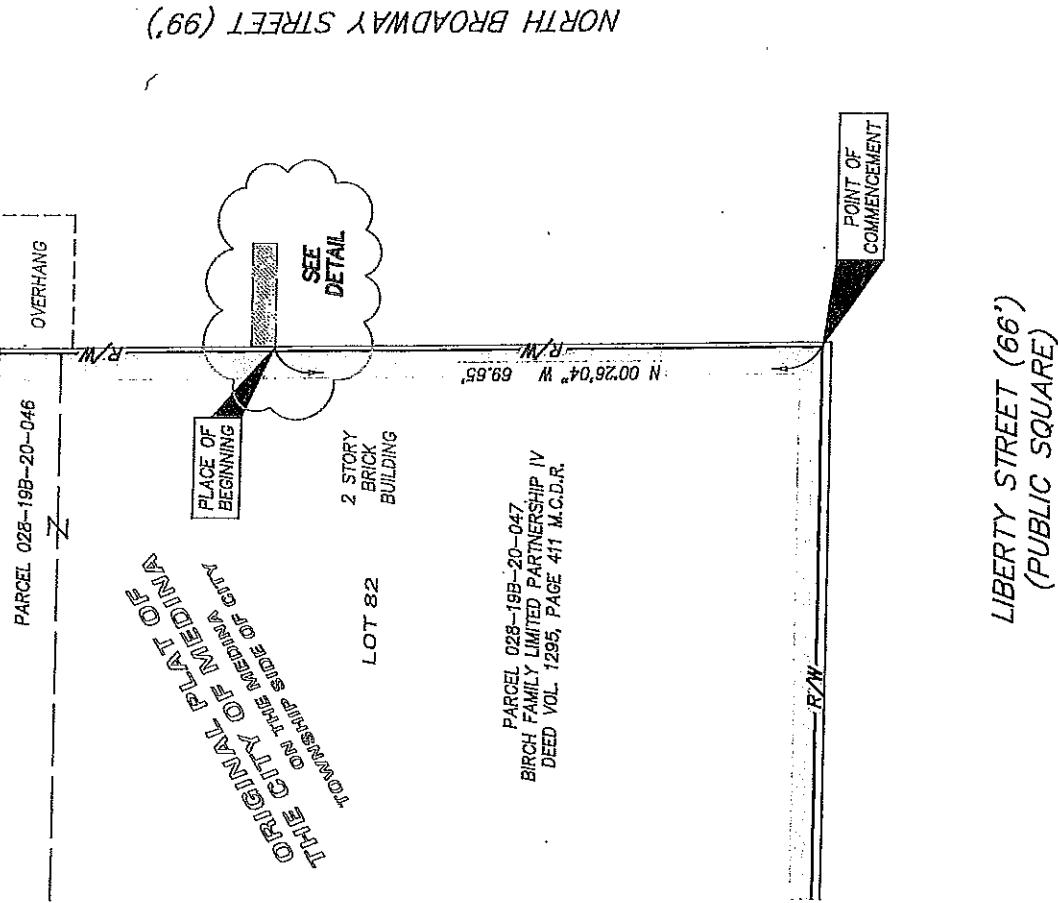
The basis of bearings for this easement are from GNSS observations to the Ohio State Plane Coordinates System, North Zone, NAD83 (2011) datum derived through the O.D.O.T. V.R.S. Network. Distances are given in feet and decimal parts thereof. All iron pins shown as set are 30-inch long 5/8-inch diameter rebar with an identification cap stamped "McSTEEN CA 96-026".



EASEMENT EXHIBIT
for
100 PUBLIC SQUARE
CITY OF MEDINA
COUNTY OF MEDINA - STATE OF OHIO

McSteen & Associates
LAND SURVEYORS
1415 East 286th Street Wadsworth, OH 44092
440.363.9800 www.mcsteen.com

LEGEND
C CENTERLINE
R/W RIGHT-OF-WAY



ORDINANCE NO. 95-18

AN ORDINANCE AMENDING ORDINANCE NO. 5-18, PASSED JANUARY 8, 2018, RELATIVE TO BIDS AND AWARDING A CONTRACT FOR THE CHAMPION CREEK MULTI-PURPOSE PATH AND STREETSCAPE PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS: Ordinance No. 5-18, passed January 8, 2018, authorized 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; and

WHEREAS: The lowest bid received was 3.7% higher than the amount authorized by City Council; and

WHEREAS: The administration requests that Section 2 of Ordinance 5-18, be amended by adding \$13,200.00 to the authorized amount to match the amount of the lowest bid received.

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

SEC. 1: That the contract amount authorized in Ordinance No. 5-18, passed January 8, 2018 is hereby amended from \$359,700.00 to \$372,900.00 for the Champion Creek Multi-Purpose Path and Streetscape Project.

SEC. 2: That the funds to cover this project, in the total amount of \$372,900.00 are hereby amended to be available as follows: \$298,320.00 in Account No. 386-0661-54414, and \$74,580.00 in Account No. 108-0610-54411.

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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety; 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

ORDINANCE NO. 96-18

AN ORDINANCE AUTHORIZING THE PAYMENT TO YOUR CONSTRUCTION FOR THE PRIVATE HOME REHABILITATION AT 27 CIRCLE DRIVE, MEDINA, OHIO AS PART OF THE PY16 CHIP GRANT PROGRAM, AND DECLARING AN EMERGENCY.

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

- SEC. 1:** That the payment of \$43,295.00 is hereby authorized to Your Construction for the private home rehabilitation at 27 Circle Drive, Medina, Ohio as part of the PY16 CHIP Grant Program, Activity #AC-16-06 and #AC-16-03.
- SEC. 2:** That the funds to cover this payment in the amount of \$43,295.00 are available as follows: \$38,142.00 in Account No. 139-0456-52215, and \$5,153.00 in Account No. 138-0456-52215.
- SEC. 3:** 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. 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 not delay payment to the contractor; 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

CITY OF MEDINA
IN PARTNERSHIP WITH CITY OF BRUNSWICK
132 N. ELMWOOD AVE.
MEDINA, OH 44258
PY2016

CONTRACT

FOR

REHABILITATION CONSTRUCTION
and
LEAD-BASED PAINT ABATEMENT

BETWEEN

Russell & Connie Mantz, File No. M-34/34H
OWNER

27 Circle Drive, Medina, OH 44256
ADDRESS

(330) 722-1277
TELEPHONE

AND

Your Construction
CONTRACTOR

784 Substation Road, Brunswick, OH 44212
ADDRESS

(330) 321-8283
TELEPHONE

May 22, 2018
DATE

The following Contract contains the Agreement, Work Write-up Drawings (if applicable) from the Bid and Proposal, the Specifications, General Conditions, and Supplemental Conditions which the undersigned hereby acknowledge he/she/they do fully understand as the work to be performed.

For the considerations named herein, the Contractor proposes to furnish all the material and do all the work described in, and in accordance with, the Contract identified in the work write-up and General Conditions.

For the Sum of Forty Three Thousand One Hundred Forty Five Dollars and No Cents \$43,295.00

Alternate #1.....\$_____

Alternate #2:\$_____

TOTAL \$43,295.00

Rehab Address: 27 Circle Drive

Medina, OH 44256

Contract Number: M-34/34H

ACCEPTANCE OF:

CONTRACTOR

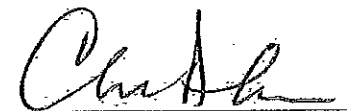
OWNER (S)

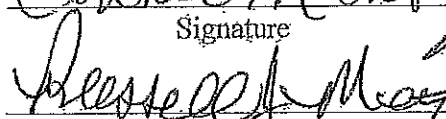
Your Construction

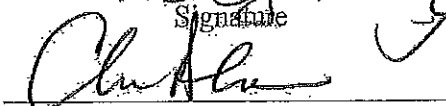
Russell & Connie Mantz


Signature


Signature


Witness


Signature


Witness

784 Substation Road
Brunswick, OH 44212

27 Circle Drive
Medina, OH 44256

May 22, 2018
Date

ORDINANCE NO. 97-18

**AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN
THE PLAT OF SURVEY CREATING NEW MEDINA CITY
LOTS.**

WHEREAS: In anticipation of the pending City Hall parking structure, the administration asks for City Council's approval to complete a replat of the City Hall and abutting City Property.

**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 sign the Plat of Survey creating new Medina City Lots 9212 through 9215.
- SEC. 2:** That a copy of the Plat of Survey 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: _____
Mayor

ORDINANCE NO. 98-18

**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 Donation-Van Epp Fund)	7,560.00 *
104-0301-50111 (Bicentennial Donation-Van Epp Fund)	630.00 *
902-0355-52215 (Correction Ord. 74-18)	6,235.00
902-0355-52215 (Bicentennial Hat/Color Book Sales)	390.00 *
902-0355-52215 (Bicentennial Sponsors/Donations)	188.00 *
902-0355-52215 (Bicentennial Golf Tournament)	30.00 *
902-0355-52215 (Mystery Women Event)	465.00 *

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

<u>Account No./Line Item</u>	<u>Reductions</u>
902-0600-40184 (Correction Ord. 74-18)	50.00
902-0400-40079 (Correction Ord. 74-18)	955.00
902-0600-40182 (Correction Ord. 74-18)	5,230.00

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