

**CITY OF MEDINA  
AGENDA FOR COUNCIL MEETING**

June 26, 2017  
Medina City Hall  
7:30 p.m.

**Public Hearing.**

To consider various text amendments to the following sections of the Planning and Zoning Code of the codified ordinances of the City of Medina, Ohio:

Sections 1147.13 and 1147.16 relative to Signs, Section 1155.01 relative to Fences, and Section 1135.13(c) relative to Building Development Standards.

**Call to Order.**

**Roll Call.**

**Reading of minutes.** (May 12, 2017)

**Reports of standing committees.**

**Requests for council action.**

**Reports of municipal officers.**

**Confirmation of Mayor's appointments.**

Planning Commission – Monica Russell, Expiring 12/31/2020  
Planning Commission (1<sup>st</sup> Alternate) – Andrew Dutton, Expiring 12/31/2019  
Planning Commission (2<sup>nd</sup> Alternate) – Bob Thompson, Expiring 12/31/2020

**Notices, communications and petitions.**

**Unfinished business.**

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

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

Ord. 92-17

An Ordinance amending Section 339.26 of the Codified Ordinances of the City of Medina, Ohio relative to Truck Routes.

(emergency clause requested)

Ord. 93-17

An Ordinance authorizing the Job Creation Grant Payment of \$22,500 to Sandridge Food Corporation.

Res. 94-17

A Resolution authorizing the filing of an Application for Grant Assistance from the Ohio Development Services Agency, Office of Housing and Community Development, in connection with the Small Cities PY17 Community Development Block Grant (CDBG) Program.  
(emergency clause requested)

Ord. 95-17

An Ordinance to authorize the increase of the expenditure to Wingfoot Tire Systems, Inc. from \$15,000 to \$35,000 for the Service Department.

Ord. 96-17

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the 2017 Concrete Pavement General Services Program.

Ord. 97-17

An Ordinance authorizing the payment to GB Hawk Construction Co. for the Private Home Rehabilitation at 4144 St. James Drive, Brunswick, Ohio as part of the PY16 CHIP Grant Program.  
(emergency clause requested)

Ord. 98-17

An Ordinance amending Sections 31.02(B)(1), 31.04, 31.05 and 31.07 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Parks Department, and accepting the Job Description of Tree Care Technician.

Ord. 99-17

An Ordinance amending Section 31.01 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Schedule of Pay for the Positions of Mayor, Director of Finance, and Members of Council.

Ord. 100-17

An Ordinance authorizing an Environmental Covenant (Conservation Easement) for the Champion Creek Restoration Project Grant.  
(emergency clause requested)

Ord. 101-17

An Ordinance amending Sections 31.05 and 31.07 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Cable TV Department, and accepting the Job Description of Assistant Producer/Technical Operations Director.

Ord. 102-17

An Ordinance amending Rule VIII (K) (3) of the Civil Services Rules and Regulations of the City of Medina relative to Probationary Periods for Promotional Appointments.

**Council comments.**

**Adjournment.**

MEDINA CITY COUNCIL  
Monday, June 12th, 2017

**Opening:**

Medina City Council met in regular, open session on Monday, June 12th, 2017. The meeting was called to order at 7:30 p.m. by President of Council John Coyne. Andrew Ross from The First Christian Church of Medina and Troop 507 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, and M. Kolesar. B. Hilberg was absent.

Also present were the following members of the Administration: Mayor Dennis Hanwell, Keith Dirham, Greg Huber, Patrick Patton, Nino Piccoli, Chief Painter, Jonathan Mendel, Dan Gladish, Kimberly Marshal, Mike Wright, and Jansen Wehrley. Members of the press Kevin McManus, Bob Finnan, and Ann Coleman.

**Minutes:**

Mr. Shields moved that the minutes from the regular meeting on May 22nd, 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 P. Rose, J. Shields, D. Simpson, J. Coyne, M. Kolesar, and B. Lamb.

**Reports of Standing Committees:**

Finance Committee: Mr. Coyne stated they met prior to tonight's council meeting and will meet again right after this meeting.

Health, Safety & Sanitation Committee: Mr. Kolesar stated they do not have a meeting scheduled but have a large item on the agenda tonight in reference to our fire services.

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 was absent.

Emerging Technologies Committee: Mr. Rose reported a meeting on June 20<sup>th</sup> to discuss case management software for the Municipal Court at 6 p.m. following the budget meeting at 5:30 p.m.

**Requests for Council Action:**

**Finance Committee**

- 17-101-6/12 – 2017 Codification Update
- 17-102-6/12 – Budget Amendment
- 17-103-6/12 – Amend Codified Ord. 339.26 – Truck Routes
- 17-104-6/12 – Fire Services Contract w/ Medina Township
- 17-105-6/12 – Expenditure Over \$15,000 – Wingfoot Commercial Tire
- 17-106-6/12 – Job Creation Grant Payment for Sandridge Food Corp.
- 17-107-6/12 – PY17 CDBG Allocation Grant Application
- 17-108-6/12 – PY16 CHIP Private Rehabilitation – 4144 St. James Dr.

- 17-109-6/12 – Amend P&Z Code, Chapter 1127, Sections 1127.04 and 1127.05
- 17-110-6/12 – Amend S&B Code 31.04 & Accept Job Description Tree Care Technician
- 17-111-6/12 – Accept Conservation Easements for Champion Creek Restoration Project
- 17-112-6/12 – 2017 Concrete Pavement General Services Program
- 17-113-6/12 – Revise Civil Service Rule VIII (K) – Promotional Probationary Period
- 17-116-6/12 – Amend S&B Code – Cable TV, Asst. Producer/Tech. Operations Director
- 17-118-6/12 – Then & Now – Legal Fee Payment

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

- 17-114-6/12 – Amend S&B Code Re: First and Second Assistant Fire Chief Positions
- 17-115-6/12 – Amend S&B Code Sec. 31.05 – Addition of Two Fire Lieutenant Positions
- 17-117-6/12 – Curbside Recycling Program (Kolesar)

#### **Emerging Technologies Committee**

- 17-095-5/22 – Case Management Software – Medina Municipal Court

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

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

- 1) Memorial Pool Grand Opening was Friday, June 2, at 10 a.m. Thanks to Armstrong Cable and Drug Mart for providing free entry to the first 100 people as well as free lunch. Well received by community and special recognition of Macy Hallock and Robert Rieffer for their efforts in getting original pool open at this location.
- 2) Band Concerts continue on Friday evenings at 8 p.m. This Friday, June 16<sup>th</sup> concert will commemorate Flag Day.
- 3) Farmer's Market each Saturday morning from 9 a.m. to 1 p.m. June 17<sup>th</sup> Medina will host the annual Pizza Palooza. Service agencies will be on the square to share their programs and a chance to try and vote for the best pizza.
- 4) Many activities and visitors to our square and many positive comments.
- 5) Proclamation to Stephanie Mueller to designate Wednesday, June 21<sup>st</sup> as the "Longest Day" to bring awareness and recognition to those afflicted with Alzheimer's Disease.

**Keith Dirham, Finance Director**, reported there is a budget meeting on Wednesday.

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

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

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

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

**Chief Painter, Fire Chief**, had no report.

**Mike Wright, Recreation Center Director**, reported updates on the pool since it's opening on May 27<sup>th</sup>. \$25,565 in revenues YTD, including season passes of \$13,430, daily admissions of \$10,696, concession stand revenues of \$1,369 and 2 Cabana rentals so far. YTD daily admission of patrons is 677. Sold 260 (5) visit punch cards and have had 429 pass scans which is members using the facility. YTD we now have 80 season passes sold and 323 season pass holders. Side note: 2 sexual offenders have been blocked from using the facility with the ID Policy in place. The next Rec Advisory Committee meeting is Thursday, August 17<sup>th</sup>.

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

**Dan Gladish, Building Official**, reported the Building Department is extremely busy with both construction and property maintenance code enforcement. Construction includes 5 new homes, 5 medical projects, 2 industrial projects, 3 large multi-family projects and one commercial project.

**Patrick Patton, City Engineer**, reported West Smith Rd. had its second main line pour. This week, weather permitting, they will be pouring the second main line pour on State Rd. and will open prior to the Fair. On North Court Street, the contractor is paving the South bound lanes this week and also continuing work on Reagan Parkway both east and west and Hillview Way. They anticipate flipping traffic sometime in mid-July. No room for a left turn lane from Reagan (on either direction) to Court Street; it is not permitted and you will get a ticket if you turn there. There is signage up stating no turns.

**Nino Piccoli, Service Director**, had no report.

**Confirmation of Mayoral Appointments:**

Shade Tree Commission – Benjamin E. Ott, Expiring 12/31/2018

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

**Notices, Communications and Petitions:**

There were none.

**Motion to appoint Delegate & Alternate to the Regional Council of Governments:**

Mayor Dennis Hanwell – Delegate  
Keith Dirham - Alternate

Mr. Shields moved to appoint the Delegate and Alternate, seconded by Mr. Simpson. The roll was called and approved by the yea votes of D. Simpson, J. Coyne, M. Kolesar, B. Lamb, P. Rose, and

J. Shields.

Mr. Coyne explained this is for the RITA Board for the change we are making from CCA for our tax collector to RITA, taking effect January 1<sup>st</sup>, 2018.

**Unfinished Business:**

There was none.

**Introduction of Visitors:**

Bob Russell resides at 641 Tremain Place. He stated there is growing concern over Osborne Inc. cement crushing at 795 South Progress Dr. Mr. Russell addressed the history of the issue. He spoke of the HOA of Liberty Woods who filed a civil law suit to minimize the impact of Osborne's operations on the development. Resulting in 96 settlement agreement which clearly outlines how Osborne can operate. How the tracks behind the homes would no longer be used after Oct. 31<sup>st</sup> unfortunately the tracks are still being used. We can't ignore the 300 households and neighboring businesses that are directly impacted by this on a daily basis.

Beth Bugner resides at 1118 Alexandria. She stated she is here to represent the Medina Half Marathon. They thanked the city for all their support for this event. Over the last four years they have been able to generate enough money to donate \$80,000 to local Medina Run charitable organizations. They anticipate breaking the \$100,000 mark. Average age of runners is 38. There were 443 runners from Medina and 1,207 total registered runners, representing 23 states. She thanked the Mayor and the Police Dept.

Lee Martin, 963 Pine Tree Court, spoke of the Osborne issue and because of what is going on he has decided to move. When the realtors came out (2 different ones), they both stated that the noises they heard would definitely be a problem selling his home and now he anticipates the value of his home went down due to the noise issue.

Charles Reno resides at 673 Cornwallis Ct. and came to ask why Osborne is Osborne continuing to operate without a license? Why haven't they been sited? Why haven't they been shut down? Whose job is it to do this? Who is running this program?

Chris Starcher, 887 Bunker Hill stated that Mr. Russell did a fine job of conveying all the issues that most the residents have that surround Osborne Inc. She wanted to represent the Yorktown Subdivision. She thanked city officials for the jobs they do and has the utmost respect for them. The conditional zoning certificate 1153.03 should be repealed for the same reasons as mentioned above. The trains are so loud they feel like they are in her backyard. It happens all hours of the night. She believes the city officials will handle this with the best interest of the residents affected and for their health, wellbeing and welfare, and uphold the laws regarding this.

Mr. Huber stated that Osborne Inc. is located in an industrial district and because of that it allows heavy manufacturing. We have been involved in almost 3 years' worth of litigation with Fetchko Excavating over whether or not rock crushing even requires a conditional zoning permit. It's not crystal clear. Just recently they have received a decision from the Common Pleas Court that stated

that in fact, in the Judge's decision, rock crushing does require a conditional zoning permit. We are in the process right now after 3 years of litigation the Common Pleas Court has backed up the City of Medina in determining that rock crushing is a heavy manufacturing process that requires a conditional zoning permit up until this decision last month that was not clear. So now Osborn is in the process of applying for a conditional zoning permit. The Planning Commission will have to make a decision about how to deal with containing or balancing the issues being presented with this industrial process as compared to the residents living next door. The city has hired an expensive expert testing firm to test the issues with respect to noise, dust and impact.

Michael Kennedy, 884 Cornell Court asked when was that zoned heavy industrial?

Rebecca Conley, 664 Terrain Place, stated she was under the impression from attending the Planning Commission meetings that it is in fact not heavy manufacturing zoned and that's the reason for the conditional zoning certificate.

Jim Henzey, 885 Cornell Court and his property borders the Osborne facility. Back in 2015, he did some refinancing of the property and specifically the appraiser came in and noticed the noise and said that it would adversely affect the price at which they could refinance their home.

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

##### **Res. 086-17:**

**A Resolution amending Resolution No. 59-16, passed April 25, 2016, relative to the Partnership Agreement with the City of Brunswick for grant assistance for a PY 16 Community Housing Impact and Preservation Program (CHIP) Grant.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 086-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 086-17, seconded by Mr. Simpson. Mr. Mendel stated this helps them execute their CHIP Program. Some wording was left out of the original agreement and exhibit B would incorporate the appropriate text so that we can execute a portion of the project. Emergency clause is needed to begin the home building repair activity as soon as possible. The roll was called on adding the emergency clause and was approved by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, J. and Coyne. The roll was called and Ordinance/Resolution No. 086-17 passed by the yea votes of J. Coyne, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson.

##### **Res. 087-17:**

**A Resolution declaring the official intent and reasonable expectation of the City of Medina on behalf of the State of Ohio (the borrower) to reimburse its Stormwater/Street Fund 108 for the Wadsworth Road Waterline, Phase 2 Project, with the proceeds of tax exempt debt of the State of Ohio.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 087-17, seconded by Mr. Simpson. Mr. Patton stated Council authorized us to apply for a zero interest loan to complete Phase 2 of the Wadsworth Rd. Waterline Project. The roll was called and Ordinance/Resolution No. 087-17 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and M. Kolesar.

**Ord. 088-17:**

**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. 088-17, seconded by Mr. Simpson. Mr. Dirham stated the court wished to transfer some excess funds from one of their court funds that are funded by fees to another one. The roll was called and Ordinance/Resolution No. 088-17 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, M. Kolesar, and B. Lamb.

**Ord. 089-17:**

**An Ordinance to approve, adopt and enact current replacement pages to the Codified Ordinances of the City of Medina, Ohio.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 089-17, seconded by Mr. Simpson. This is the annual update of the codified ordinances and we modify them as the ordinances are passed and we update our books. The roll was called and Ordinance/Resolution No. 089-17 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, M. Kolesar, B. Lamb and P. Rose.

**Ord. 090-17:**

**An Ordinance of the Council of the City of Medina, Ohio, certifying that when a municipal obligation was incurred sums were lawfully appropriated in the funds to satisfy the obligation and sufficient sums currently exist to satisfy this obligation.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 090-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 090-17, seconded by Mr. Simpson. Mr. Dirham stated this is for legal services and the emergency clause is needed due to services rendered. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, M. Kolesar, B. Lamb, P. Rose, J. Shields, and D. Simpson. The roll was called and Ordinance/Resolution No. 090-17 passed by the yea votes of D. Simpson, J. Coyne, M. Kolesar, B. Lamb, P. Rose, and J. Shields.

**To be added to the agenda:**

Mr. Shields moved to add Ord. 091-17 to the agenda, seconded by Mr. Simpson. Motion passes by the yea votes of M. Kolesar, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

**Ord. 091-17**

**An Ordinance authorizing the Mayor to enter into a Contract for Fire Services with Medina Township.** Mr. Shields moved for the adoption of Ordinance/Resolution No. 091-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 091-17, seconded by Mr. Simpson. Mayor Hanwell stated he and Chief Painter have been reviewing the possibility of the city providing contractual fire services for Medina Township for some time. The City has provided contractual fire services to the Township of Montville which is larger in population for over 5 decades and we have analyzed the calls in the past three years, both fire and EMS related calls, that went to the fire departments, analyzed which stations between the 3 in the city the one in Montville and the two in Medina Township would be best suited to staff. The City of Medina currently staffs three members during the day at 8 hour shifts to complement 3 full time members and then we staff 4 members in the afternoon shift from 4 to midnight. We are proposing adding an additional staff member during the day for a total of 8, and the second



shift an additional 2 members going from 4 members to 6 members. Dividing that staff member between the Nettleton Rd. Station which is Medina Township and the other location would be our Station One which is near the Regal Cinema. Mr. Bill Ostmann (Chairman of the Board of Medina Township Trustees) stated they formed a committee to look at the needs of the fire services of Medina Township. They met several times last year and determined they needed to look at other options. Mr. Coyne thanked everyone for their efforts, this has been discussed for many years and we hope the goal of course is to provide the best service possible to the residents with the most efficient response times and in the most cost effective way. 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, M. Kolesar, and B. Lamb. The roll was called and Ordinance/Resolution No. 091-17 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and M. Kolesar.

**Council Comments:**

Mr. Rose commented in regard to how our Police Department interacts with the community. He attended the Let's Make a Difference Medina sign up. Lenny Katesco, Ed Kenney they were with the crowds and interacting with the children, Derek Crooks and Mike English that were taking a couple of the kids to school and basketball. Just doing an excellent job.

Mr. Rose stated that some residents he spoke to from Ward 4 had high praises for our sanitation workers.

Mr. Rose stated that for the past 7 years he has had the honor and privilege of representing everybody as Council at Large and is putting his hat in the ring for another four years.

Mr. Simpson thanked Mr. Ostmann for attending tonight's meeting. He stated he sees nothing but positive effects with this contract for Fire Services and realizes it has not been easy.

Mr. Simpson also reminded residents that if you have not made it to Medina's new Municipal Pool you should make it a point to go. It's done, it's open and it's spectacular!

Mr. Kolesar stated he has always been a supporter of collaboration and a Fire District. We've tried to hit this hurdle in years past and he appreciates the Trustees coming together and hopefully have a consensus to move forward on that and he thanked the administration for working diligently to make this happen. His main concern as a council member is to make sure people are safe and if that can be done in a more efficient manner, that is even better.

Mr. Kolesar was able to be at the Municipal Pool for the Grand Opening and it was nice to see a line of residents and kids.

Council members commented on the nice "Cannon Ball" Mr. Kolesar christened the new pool with! Mr. Kolesar said he attended the South Court Street Music Festival and it's a great thing that Mr. Lamb and the neighborhood has put together.

Mr. Lamb recalled the big weekend of music in Medina this past weekend. Lots of supporters, lots of donors, lots of sponsors and so much help putting it all together. He thanked the city for their assistance with the stage and some of the logistics.

Mr. Lamb said he is thrilled to hear the numbers with the attendance and income at the pool.

Medina City Council  
June 12th, 2017

**Adjournment:**

There being no further business before Council, the meeting adjourned at 8:46 p.m.

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Kathy Patton, CMC - Clerk of Council

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John M. Coyne, President of Council

**ORDINANCE NO. 92-17****AN ORDINANCE AMENDING SECTION 339.26 OF THE  
CODIFIED ORDINANCES OF THE CITY OF MEDINA, OHIO  
RELATIVE TO TRUCK ROUTES, AND DECLARING AN  
EMERGENCY.**

**WHEREAS:** That Section 339.26 of the codified ordinances of the City of Medina, Ohio presently reads as follows:

**339.26 TRUCK ROUTES.**

No person shall drive any vehicle designed or used for the transportation of goods, wares, merchandise or materials over or upon any of the following streets or highways in the Municipality where signs are erected giving notice of such restriction (and no such street or highway shall be designated as a truck route), except while delivering or receiving such goods, wares, merchandise or material to a place abutting in such street, and then only by proceeding by a route which will follow to and from the nearest street intersection to such place of delivery.

Beechwood Drive	Huntington Street, North
Birch Hill Drive	Huntington Street, South
Brandy Wine Drive	Ivy Hill Lane
Broadway, North	Jefferson Street, North
Circle Drive	Koons Avenue
Cloverdale Avenue	Larkens Way
East Street, North	Lawrence Street
East Street, South	Miller Drive
Elmwood Avenue, North	North Street, East
Forest Meadows Drive	North Street, West
Friendship Drive, East	Reagan Parkway, East
Friendship Drive, West	Reagan, West
Guilford Boulevard	Roshon Drive
Harding Street	Smokerise Drive
Harmony Street, North	Sturbridge Drive
Harmony Street, South	Union Street, East
Hartford Drive	Union Street, West
Hickory Grove Avenue	Valley Drive
Highland Drive	Waterbury Drive

Highpoint Drive	West Sturbridge Drive
Homestead Street, East	Westpark Boulevard
Homestead Street, West	Woodland Drive

(Ord. 189-00. Passed 11-27-00.)

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

**SEC. 1:** That Section 339.26 of the codified ordinances of the City of Medina, Ohio shall be amended to read as follows:

**339.26 TRUCK ROUTES.**

No person shall drive any vehicle designed or used for the transportation of goods, wares, merchandise or materials over or upon any of the following streets or highways in the Municipality where signs are erected giving notice of such restriction (and no such street or highway shall be designated as a truck route), except while delivering or receiving such goods, wares, merchandise or material to a place abutting in such street, and then only by proceeding by a route which will follow to and from the nearest street intersection to such place of delivery. **An exception to this Ordinance is hereby created whereby the Safety Director may, on a temporary basis, and in writing, designate streets listed herein as being available as a truck route for a defined period of time.**

Beechwood Drive	Huntington Street, North
Birch Hill Drive	Huntington Street, South
Brandy Wine Drive	Ivy Hill Lane
Broadway, North	Jefferson Street, North
Circle Drive	Koons Avenue
Cloverdale Avenue	Larkens Way
East Street, North	Lawrence Street
East Street, South	Miller Drive
Elmwood Avenue, North	North Street, East
Forest Meadows Drive	North Street, West
Friendship Drive, East	Reagan Parkway, East
Friendship Drive, West	Reagan, West
Guilford Boulevard	Roshon Drive
Harding Street	Smokerise Drive
Harmony Street, North	Sturbridge Drive
Harmony Street, South	Union Street, East
Hartford Drive	Union Street, West
Hickory Grove Avenue	Valley Drive

Highland Drive                      Waterbury Drive  
Highpoint Drive                      West Sturbridge Drive  
Homestead Street, East              Westpark Boulevard  
Homestead Street, West              Woodland Drive  
(Ord. 189-00. Passed 11-27-00.)

**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.

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

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

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

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

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

Effective date:

**ORDINANCE NO. 93-17****AN ORDINANCE AUTHORIZING THE JOB CREATION GRANT  
PAYMENT OF \$22,500.00 TO SANDRIDGE FOOD  
CORPORATION.**

**WHEREAS:** Ordinance No. 45-13, passed March 25, 2013, authorized the Job Creation Grant Agreement #JCG04 for Sandridge Food Corporation; and

**WHEREAS:** The Business Development Committee met with the company on Wednesday, May 24, 2017 to review their progress and Sandridge has created 178 positions with payroll of \$7,779,544.00; and

**WHEREAS:** The Business Development Committee has determined that that Sandridge Food Corporation has met their job creation goal and 216.10% of their payroll goal, which qualifies them for a full grant.

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

**SEC. 1:** That the Job Creation Grant payment of \$22,500.00 to Sandridge Food Corporation is hereby authorized.

**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.

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

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

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

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

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

**RESOLUTION NO. 94-17**

**A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR GRANT ASSISTANCE FROM THE OHIO DEVELOPMENT SERVICES AGENCY, OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT, IN CONNECTION WITH THE SMALL CITIES PY17 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, AND DECLARING AN EMERGENCY.**

**WHEREAS:** The City of Medina, Ohio intends to apply to the Ohio Department of Development Services Agency, Office of Housing and Community Development, for funding under the Small Cities Community Development Block Grant Program, a federally-funded program administered by the State of Ohio in the amount of \$150,000.00 from the Allocation Grant and \$300,000.00 from the Critical Infrastructure Grant for PY17.

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

**SEC. 1:** That the Mayor is hereby authorized and directed to file an application for grant assistance with the Ohio Development Services Agency, Office of Housing and Community Development, for the Small Cities Community Development Block Grant Program for the fiscal year 2017 with the funds to be used as follows:

PY17 CDBG Allocation Grant

Activity No. 1	Code Enforcement	\$30,000
Activity No. 2	Public Transit	\$22,500
Activity No. 3	Sidewalk Improvements	\$82,500
Activity No. 5	Fair Housing	\$ 5,000
Activity No. 6	Administration	<u>\$10,000</u>
		\$150,000

**SEC. 2:** That the Mayor is hereby authorized and directed to file an application for grant assistance with the Ohio Development Services Agency, Office of Housing and Community Development, for the Critical Infrastructure Grant for the fiscal year 2017 with the funds to be used as follows:

Activity No. 1	Street Replacement	<u>\$300,000</u>
		\$300,000

**SEC. 3:** That if the Grants are awarded to the City, the Mayor is authorized to accept the grant and enter into an agreement with the Ohio Department of Development Office of Housing and Community Partnerships for their implementation and administration.

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

**SEC. 5:** That this Resolution shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to apply for said grant before the deadline of July 14, 2017; wherefore, this Resolution 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:** \_\_\_\_\_  
**Mayor**



**ORDINANCE NO. 95-17**

**AN ORDINANCE AUTHORIZING THE INCREASE OF THE  
EXPENDITURE TO WINGFOOT TIRE SYSTEMS, INC.  
FROM \$15,000.00 to \$35,000.00 FOR THE SERVICE  
DEPARTMENT.**

**WHEREAS:** The Service Director has requested to increase Purchase Order #2017000634 from \$15,000.00 to not to exceed \$35,000.00, which requires Council approval; and

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

- SEC. 1:** That the expenditure of not to exceed \$35,000.00 is hereby authorized to Wingfoot Tire Systems, LLC for the Service Department
- SEC. 2:** That the funds to cover this expenditure are available in Account No. 514-0543-53321.
- 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. 96-17**

**AN ORDINANCE AUTHORIZING THE MAYOR TO  
ADVERTISE FOR COMPETITIVE BIDS AND TO AWARD A  
CONTRACT TO THE SUCCESSFUL BIDDER FOR THE 2017  
CONCRETE PAVEMENT GENERAL SERVICES PROGRAM.**

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

- SEC. 1:** That the Mayor is hereby authorized and directed to advertise for competitive bids and to award a contract to the successful bidder for the 2017 Concrete Pavement General Services Program in accordance with specifications on file in the office of the Mayor.
- SEC. 2:** That the estimated cost of the contract, in the amount of \$100,000.00, is available 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 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. 97-17**

**AN ORDINANCE AUTHORIZING THE PAYMENT TO GB HAWK CONSTRUCTION CO. FOR THE PRIVATE HOME REHABILITATION AT 4144 ST. JAMES DRIVE, BRUNSWICK, 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 \$25,045.35 is hereby authorized to GB Hawk Construction Co. for the private home rehabilitation at 4144 St. James Drive, Brunswick, Ohio as part of the PY16 CHIP Grant Program, Activity #AC-16-06.
- SEC. 2:** That the funds to cover this payment in the amount of \$25,045.35 are available in Account No. 139-0456-52215.
- 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:** \_\_\_\_\_  
**Clerk of Council**

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

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

**ORDINANCE NO. 98-17**

**AN ORDINANCE AMENDING SECTIONS 31.02 (B)(1), 31.04, 31.05 AND 31.07 OF THE SALARIES AND BENEFITS CODE OF THE CITY OF MEDINA, OHIO RELATIVE TO THE PARKS DEPARTMENT, AND ACCEPTING THE JOB DESCRIPTION OF TREE CARE TECHNICIAN.**

**WHEREAS:** Section 31.02 (B)(1) of the Salaries and Benefits Code of the City of Medina, Ohio presently reads as follows:

- (B) **PART-TIME EMPLOYEES.** (Part-time positions may not be filled for more than 35 hours in any week.)

(1) **PARKS AND RECREATION DEPARTMENT**

		<u>Hourly Rate</u>
1	Clerical Help	Pay Grade 5A
5	Laborers	per contract
1	Tree Technician	per contract
1	Cemetery Laborer	per contract
1	Turf Technician	per contract + 7%

(Ord. 76-08, 134-11, 32-14)

**WHEREAS:** Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio, pertaining to the Parks Department presently reads as follows:

**PARKS AND RECREATION DEPARTMENT**

<u>Number</u>	<u>Classification</u>	<u>Steps Authorized</u>
1	Parks & Recreation Director	Pay Grade 112 (annual salary paid bi-weekly)
1	Parks Superintendent	15 A-F
1	City Arborist	9 A-F
2	Laborer	31 A-F per contract
1	Sexton	32 A-F per contract
1	Clerical Help	Sec. 31.02(B)(1)
1	Tree Technician	Sec. 31.02(B)(2) per contract
1	Cemetery Laborer	Sec. 31.02(B)(1) per contract
1	Turf Technician	per contract + 7%
	Part-time and Seasonal Employees	Sec. 31.02(A)(1)&(B)(1)

Ord. 273-05, 7-06, 76-08, 81-09, 134-11, 27-13, 173-13, 32-14

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

**SEC. 1:** That Section 31.02 (B)(1) of the Salaries and Benefits Code of the City of Medina, Ohio shall be amended to read in part as follows:

(B) **PART-TIME EMPLOYEES.** (Part-time positions may not be filled for more than 35 hours in any week.)

(1) **PARKS AND RECREATION DEPARTMENT**

		<u>Hourly Rate</u>
1	Clerical Help	Pay Grade 5A
5	Laborers	per contract
1	Tree Technician	per contract *
1	Cemetery Laborer	per contract
1	Turf Technician	per contract + 7%

\* See 31.04 (I)

(Ord. 76-08, 134-11, 32-14, 98-17)

**SEC. 2:** That Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio pertaining to the Parks Department shall be amended to read as follows:

**PARKS AND RECREATION DEPARTMENT**

<u>Number</u>	<u>Classification</u>	<u>Steps Authorized</u>
1	Parks & Recreation Director	Pay Grade 112 (annual salary paid bi-weekly)
1	Parks Superintendent	15 A-F
1	City Arborist	9 A-F
2	Laborer	31 A-F per contract
1	Sexton	32 A-F per contract
1	Clerical Help	Sec. 31.02(B)(1)
1	Tree Technician	Sec. 31.02(B)(2) per contract *
1	Cemetery Laborer	Sec. 31.02(B)(1) per contract
1	Turf Technician	per contract + 7%
	Part-time and Seasonal Employees	Sec. 31.02(A)(1)&(B)(1)

\*See 31.04 (I)

(Ord. 273-05, 7-06, 76-08, 81-09, 134-11, 27-13, 173-13, 32-14, 98-17)

**SEC. 3:** That Section 31.04 of the Salaries and Benefits Code of the City of Medina, Ohio shall be amended to include item (I) as follows:

(I) The Tree Care Technician, upon obtaining certification from the International Society of Arboriculture as Certified Arborist, shall be entitled to an increase of 7% above the normal

rate of pay for the position as designated in Section 31.05. Such advancement shall commence with the first pay period following the receipt of said certification and upon the recommendation and approval of the Parks Director. The employee must provide proof of continuing education credits when earned.

**SEC. 4:** That in accordance with Section 31.07, the job description for Tree Care Technician is hereby accepted and approved.

**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**

**THE CITY OF MEDINA  
JOB DESCRIPTION**

Ord. 98-17

**TITLE:** Tree Care Technician

**REPORTS TO:** Arborist

**DEPARTMENT/DIVISION:** Parks/Forestry

**CIVIL SERVICES STATUS:** Unclassified

**JOB STATUS:** Part-Time

**EXEMPT STATUS:** Non-exempt

**CLASSIFICATION FEATURES:** Under the general direction of the Arborist, the employee in this classification performs substantial arboricultural work consisting of tree maintenance, corrective pruning, mulching, chipping, sucker removal, watering of trees, planting of trees, maintaining a nursery, and snow removal. Minor tree climbing and pruning work maybe required but most of the work will be performed from the ground.

**ESSENTIAL JOB FUNCTIONS:**

Perform corrective pruning to properly train young trees to grow and develop into structurally strong trees.

Remove water sprouts along trunk and base of trees.

Assist in small tree removal and planting of trees.

Mulch, fertilize and water trees.

Identify tree species to aid in maintaining and updating computerized tree inventory.

Operate a skid-steer, chipper, chainsaws, and pruning tools.

Assist other departments such as the Cemetery and Parks departments with mowing, edging, weed-whacking, mulching, leaf clean-up and digging.

Maintains regular and consistent attendance.

**EDUCATION, TRAINING AND EXPERIENCE:**

High school diploma or GED preferred

Willingness to learn how to climb trees safely and efficiently.

CPR and First Aid certification

At least (2) years of tree care experience preferred

International Society of Arboriculture Certified Arborist preferred.

Revised 1/2014

**License:**

Valid driver's license (CDL preferred) issued by the State of Ohio and must remain insurable under the City of Medina's vehicle insurance plan.

**QUALIFICATIONS:****Knowledge of:**

- Principles and practices of forestry including the care of trees, corrective pruning, spraying, planting, removal, equipment operation, and tree climbing;
- Occupational hazards and required safety precautions involved with the operation of forestry equipment according to the Occupational Safety and Health Administration.

**Skilled in:**

- Operating equipment and machinery;
- Preparing records and reports; and
- Communicating effectively

**Ability to:**

- Communicate effectively in writing or orally with co-workers, supervisors and the general public in person or over a telephone or radio; and
- Understand and follow complex oral and written instructions.

**PHYSICAL DEMANDS:**

Strength and agility sufficient to lift and maneuver trees and equipment as required. The ability to climb into or onto and operate vehicles and equipment. This position also involves occasional standing, bending, stooping, crawling, squatting, lifting, kneeling and reaching.

**ENVIRONMENTAL ELEMENTS:**

This position requires the employee to spend most of each day outside in the field.

**WORKING CONDITIONS:**

Maybe required to work outside normal business hours including weekends, evenings and holidays.

**EQUIPMENT USED:** Chipper, Skid-Steer, Bucket Truck, Dump Truck, Backhoe, Snow Plow, Chainsaws



**ADDITIONAL REQUIREMENTS:** The above information on this description has been designed to indicate the general nature and level of work performed by employees within this classification. It is not designed to contain or be interpreted as a comprehensive inventory of all duties, responsibilities and qualifications required of employees assigned to this job. Employee understands that conditions may require the City to modify this Job Description and that the City reserves the right to exercise its discretion to make such changes.

EMPLOYEE ACKNOWLEDGEMENT: \_\_\_\_\_

DATE: \_\_\_\_\_

**ORDINANCE NO. 99-17**

**AN ORDINANCE AMENDING SECTION 31.01 OF THE  
SALARIES AND BENEFITS CODE OF THE CITY OF  
MEDINA, OHIO RELATIVE TO THE SCHEDULE OF PAY  
FOR THE POSITIONS OF MAYOR, DIRECTOR FINANCE  
AND MEMBERS OF COUNCIL.**

**WHEREAS:** Section 31.01 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Schedule of Pay for Elected Officials presently reads as follows:

All elected officials of the City of Medina, Ohio, shall be paid a salary in accordance with the following schedule of pay basis:

Director of Finance*	\$82,997.98 (Annual - 2014)	Payable Bi-weekly
	\$83,659.94 (Annual - 2015)	Payable Bi-weekly
	\$84,327.36 (Annual - 2016)	Payable Bi-weekly
	\$84,999.98 (Annual - 2017)	Payable Bi-weekly
(Ord. 42-00, 171-05, 108-09, 110-13)		
Mayor*	\$75,319.14 (Annual - 2014)	Payable Bi-weekly
	\$76,848.20 (Annual - 2015)	Payable Bi-weekly
	\$78,408.20 (Annual - 2016)	Payable Bi-weekly
	\$79,999.92 (Annual - 2017)	Payable Bi-weekly
(Ord. 43-00, 170-05, 171-07, 107-09, 109-13)		
President of Council	\$9,000.00 (Annual)	Payable Monthly
Council Member	\$6,000.00 (Annual)	Payable Monthly
(Ord. 41-00, 86-05, 169-05)		
Municipal Court Judge *	ORC 1901.11	Payable Bi-weekly
Clerk of Court*	ORC 1901.31	Payable Bi-weekly
(Ord., 26-07)		

\* Officials eligible to receive hospitalization benefits.

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

**SEC. 1:** That Section 31.01 of the Salaries and Benefits Code of the City of Medina, Ohio shall be amended in part as follows relative to the Schedule of Pay for Elected Officials:

**SECTION 31.01 SCHEDULE OF PAY FOR ELECTED OFFICIALS**

All elected officials of the City of Medina, Ohio, shall be paid a salary in accordance with the following schedule of pay basis:

<b>Director of Finance*</b>	<b>\$86,699.86 (Annual - 2018)</b>	<b>Payable Bi-weekly</b>
	<b>\$88,433.80 (Annual - 2019)</b>	<b>Payable Bi-weekly</b>
	<b>\$90,202.58 (Annual - 2020)</b>	<b>Payable Bi-weekly</b>
	<b>\$92,006.55 (Annual - 2021)</b>	<b>Payable Bi-weekly</b>

(Ord. 42-00, 171-05, 99-17)

<b>Mayor*</b>	<b>\$81,599.96 (Annual - 2018)</b>	<b>Payable Bi-weekly</b>
	<b>\$83,231.98 (Annual - 2019)</b>	<b>Payable Bi-weekly</b>
	<b>\$84,896.50 (Annual - 2020)</b>	<b>Payable Bi-weekly</b>
	<b>\$86,594.40 (Annual - 2021)</b>	<b>Payable Bi-weekly</b>

(Ord. 43-00, 170-05, 171-07, 109-13, 99-17)

<b>President of Council</b>	<b>\$11,880.00 (Annual - 2018)</b>	<b>Payable Monthly</b>
	<b>\$12,516.00 (Annual – 2019)</b>	<b>Payable Monthly</b>
	<b>\$13,140.00 (Annual – 2020)</b>	<b>Payable Monthly</b>
	<b>\$13,776.00 (Annual – 2021)</b>	

<b>Council Member</b>	<b>\$7,920.00 (Annual - 2018)</b>	<b>Payable Monthly</b>
	<b>\$8,340.00 (Annual – 2019)</b>	<b>Payable Monthly</b>
	<b>\$8,760.00 (Annual – 2020)</b>	<b>Payable Monthly</b>
	<b>\$9,180.00 (Annual – 2021)</b>	<b>Payable Monthly</b>

(Ord. 41-00, 86-05, 169-05, 99-17)

<b>Municipal Court Judge *</b>	<b>ORC 1901.11</b>	<b>Payable Bi-weekly</b>
<b>Clerk of Court*</b>	<b>ORC 1901.31</b>	<b>Payable Bi-weekly</b>

(Ord.. 26-07)

**SEC. 2:** That in accordance with Article III, Section 12 of the Charter of the City of Medina, Ohio, the above referenced increases shall take effect for those officials taking office January 1, 2018.

**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. 100-17**

**AN ORDINANCE AUTHORIZING AN ENVIRONMENTAL COVENANT  
(CONSERVATION EASEMENT) FOR THE CHAMPION CREEK  
RESTORATION PROJECT GRANT, AND DECLARING AN EMERGENCY.**

**WHEREAS:** Resolution No. 56-12, passed March 26, 2012 authorized the Mayor to file an application for grant assistance with the Ohio Environmental Protection Agency for the Ohio EPA 319 Grant Program; and

**WHEREAS:** As part of the finalization of the City's Champion Creek Restoration Project Grant completion, (319(h) Nonpoint Source Implementation Program Grant), several conservation easements were required as part of the grant agreement, they are as follows:

- PPN# 028-19C-05-369 – Sandra Rusinko, Owner
- PPN# 028-19D-01-117 – City of Medina Owner (406 S. Broadway)
- PPN# 028-19D-02-114 – City of Medina Owner (former James Lumber site)

and;

**WHEREAS:** These conservation easements limit the use of the individual areas of the property where the easement is proposed and the intent of the conservation easements is to protect the work performed with the grant funding; and

**WHEREAS:** The grant agreement estimates approximately \$36,000 for the cost of creating and executing the conservation easements, but since the City of Medina owns most of the land that was originally privately owned, the cost to execute a private conservation easement will be significantly less. The cost was approved for expenditure under Res. No. 56-12, passed March 26, 2012.

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

**SEC. 1:** That the Council of the City of Medina hereby authorizes and directs the Mayor to execute on behalf of the City the Environmental Covenant with Mrs. Rusinko and the City owned properties, as set forth in the attached Exhibit A, which is incorporated herein by reference as though fully rewritten herein.

**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 permit the timely execution of the conservation easement and for completion of the grant; 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:** \_\_\_\_\_

**Mayor**

ORD. 100-17  
Exh. A

### ENVIRONMENTAL COVENANT

This Environmental Covenant is entered into pursuant to Ohio Revised Code ("R.C.") Sections 5301.80 to 5301.92 by \_\_\_\_\_ (the "Owner"), having an address of \_\_\_\_\_, and the City of Elyria, Ohio, an Ohio Municipal Corporation (the "Holder"), having an address of 131 Court Street, Elyria, Ohio 44035 and the City of Medina ("City"), as a non-holder agency, for the purpose of subjecting certain property ("the Covenant Area") to the activity and use limitations set forth herein.

**WHEREAS**, the Owner is the owner in fee of certain real property, which contains the Covenant Area and is situated in Medina County, Ohio, in the Lake Erie watershed; and

**WHEREAS**, the Champion Creek, located in north-east Ohio, and a small portion of the Rocky River Watershed which drains to Lake Erie; and

**WHEREAS**, for the preservation and restoration of the Champion Creek, the City stabilized and restored 2,240 lineal feet of stream bank and floodplain in order to significantly reduce bank erosion which results in lower sediment loading in the Rocky River watershed; and

**WHEREAS**, the stream bank restoration work included the installation of j-hook rock structures to direct flow and create in-stream habitat diversity, live staking to stabilize the bank slope, and riparian vegetation along the stream bank; and

**WHEREAS**, the stream bank restoration protected area, dominated by riparian vegetation and forest, is an important resource for preventing nonpoint source pollution from entering the Champion Creek and Rocky River watershed; and  
the City

**WHEREAS**, the City wishes to ensure the Covenant Area and the Covenant Area's Conservation Values are protected in perpetuity by this Environmental Covenant.

**NOW, THEREFORE**, Owner, Holder and City of Medina agree to the following:

1. Environmental Covenant. This instrument is an environmental covenant developed and executed pursuant to R.C. Sections ' 5301.80 to 5301.92.

2. Covenant Area. The Covenant Area is an approximately \_\_\_\_\_ acre tract of real property located in Medina County, Ohio, and more particularly described in Exhibit A [narrative] and Exhibit B [map]

attached hereto and hereby incorporated by reference herein ("the Covenant Area").

3. The Owner is the fee simple owner of the Covenant Area.

4. The Holder is the holder of this Environmental Covenant.

5. Activity and Use Limitations. Given the conservation values of the Covenant Area, the Owner hereby imposes and agrees to comply with the following activity and use limitations on the Covenant Area:

Division: Any division or subdivision of the Covenant Area is prohibited;

Commercial Activities: Commercial development or activity on the Covenant Area is prohibited;

Construction: The placement or construction of any man-made modifications such as buildings, structures, fences, roads and parking lots on the Covenant Area is prohibited, other than construction activities that are authorized in writing by the Ohio EPA;

Cutting and Other Control of Vegetation: Any cutting of trees, ground cover or vegetation, or destroying by means of herbicides or pesticides on the Covenant Area is prohibited, other than the removal or control of invasive and noxious species and control activities that are authorized in writing by the Ohio EPA;

Land Surface Alteration: The removal of soil, sand, gravel, rock, minerals or other materials from the Property, or doing any act that would alter the topography of the Property shall be prohibited;

Dumping: Waste, garbage and unsightly or offensive materials are not permitted and may not be accumulated on the Covenant Area; and

Water Courses: Natural water courses and streams and adjacent riparian buffers may not be dredged, straightened, filled, channelized, impeded, diverted or otherwise altered on the Covenant Area, other than as part of activities that are authorized in writing by the Ohio EPA.

Recreational Trails and Vehicles: Recreational uses that disturb or compact the soils or destroy or inhibit growth of vegetation are prohibited;

Utilities: Construction of utilities on the Property shall be prohibited. Underground or above-ground utilities may only be constructed if no other alternative are available and Ohio EPA has approved the exception;

Other Activities: Each and every other activity or construction project which might endanger the natural, scenic, biological, ecological integrity of the Property shall be prohibited.

6. Running with the Land. This Environmental Covenant shall be binding upon the Owner and all assigns and successors in interest, including any Transferee, and shall run with the land, pursuant to R.C. Section 5301.85, subject to amendment or termination as set forth herein. The term "Transferee" as used in this Environmental Covenant, shall mean any future owner of any interest in the Covenant Area or any portion thereof, including, but not limited to, owners of an interest in fee simple, mortgagees, easement holders, and/or lessees.



7. Compliance Enforcement. Compliance with this Environmental Covenant may be enforced pursuant to R.C. Section 5301.91 or other applicable law. Failure to timely enforce compliance with this Environmental Covenant or the use limitations contained herein by any party shall not bar subsequent enforcement by such party and shall not be deemed a waiver of the party's right to take action to enforce any provision of this Covenant. Nothing in this Environmental Covenant shall restrict the City of Medina from exercising any authority under applicable law in order to protect public health or safety or the environment.

8. Rights of Access. Owner hereby grants to the City of Medina, its agents, contractors, and employees and the Holder or its agents the right of access to the Covenant Area in connection with the implementation or Enforcement of this Environmental Covenant.

9. Compliance Reporting. Owner and any Transferee shall submit to the City of Medina, upon request by the City of Medina, written documentation verifying that the activity and use limitations remain in place and are being complied with.

10. Notice upon Conveyance. Each instrument hereafter conveying any interest in the Covenant Area or any portion of the Covenant Area shall contain a notice of the activity and use limitations set forth in this Environmental Covenant, and provide the recorded location of this Environmental Covenant. The notice shall be substantially in the following form:

THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL COVENANT, DATED \_\_\_\_\_, 20\_\_, RECORDED IN THE DEED OR OFFICIAL RECORDS OF THE MEDINA COUNTY RECORDER ON \_\_\_\_\_, 20\_\_, IN DOCUMENT NO. \_\_\_\_\_. THE ENVIRONMENTAL COVENANT CONTAINS THE FOLLOWING ACTIVITY AND USE LIMITATIONS:

[In the notice, restate restrictions from Paragraph 5 of this Covenant]

Owner shall notify the City of Medina within ten (10) days after each conveyance of an interest in any portion of the Covenant Area. Owner's notice shall include the name, address and telephone number of the Transferee, and a copy of the original document that imposed restrictions on the Covenant Area.

11. Representations and Warranties. Owner hereby represents and warrants to the other signatories hereto:

- a. that the Owner is the sole owner of the Covenant Area;
- b. that the Owner holds fee simple title to the Covenant Area and, for example, is not subject to any utility, road or other easement;
- c. that the Owner has the power and authority to enter into this Environmental Covenant, to grant the rights and interests herein provided and to carry out all obligations hereunder; and
- d. that this Environmental Covenant will not materially violate or contravene or constitute a material default under any other agreement, document or instrument to which Owner is a party or by which Owner may be bound or affected.

12. Amendment or Termination. This Environmental Covenant may be amended or terminated only by consent of all of the following: the Owner or a Transferee, the Holder, and the City of Medina, pursuant to R.C. §§ 5301.89 or 5301.90 and other applicable law. "Amendment" means any changes to the Environmental Covenant,

including the activity and use limitations set forth herein, or the elimination of one or more activity and use limitations when there is at least one limitation remaining. "Termination" means the elimination of all activity and use limitations set forth herein and all other obligations under this Environmental Covenant.

This Environmental Covenant may be amended or terminated only by a written instrument duly executed by the City of Medina, the Holder, and the Owner or Transferee/s/ of the Covenant Area or portion thereof, as applicable. Within thirty (30) days of signature by all requisite parties on any amendment or termination of this Environmental Covenant, the Owner or Transferee/s/ shall file such instrument for recording with the Medina County Recorder's Office, and shall provide a true copy of the recorded instrument to Ohio EPA.

13. Severability. If any provision of this Environmental Covenant is found to be unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired.

14. Governing Law. This Environmental Covenant shall be governed by and interpreted in accordance with the laws of the State of Ohio.

15. Recordation. Within thirty (30) days after the date of the final required signature upon this Environmental Covenant, the City of Medina shall file this Environmental Covenant for recording, in the same manner as a deed to the property, with the Medina County Recorder's Office.

16. Effective Date. The effective date of this Environmental Covenant shall be the date upon which the fully executed Environmental Covenant has been recorded as a deed record for the Covenant Area with the Medina County Recorder.

17. Distribution of Environmental Covenant. The City of Medina shall distribute a file- and date-stamped copy of the recorded Environmental Covenant to: Owner

18. Notice. Unless otherwise notified in writing by or on behalf of the current owner or the City of Medina, any document or communication required by this Environmental Covenant shall be submitted to:

City of Medina, Ohio  
132 N. Elmwood Street  
Medina, OH 44256

The undersigned Owner and Holder represent and certify that they are authorized to execute this Environmental Covenant.

IT IS SO AGREED:.

OWNER:

HOLDER:

[OWNER]

THE CITY OF MEDINA, OHIO

By: \_\_\_\_\_  
[Owner]

By: \_\_\_\_\_  
Dennis Hanwell, Mayor

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

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

Approved as to Form:

\_\_\_\_\_  
Gregory Huber, Medina City Law Director

State of Ohio            )  
                              )       ss:  
County of Medina        )

Before me, a notary public, in and for said county and state, personally appeared \_\_\_\_\_,  
who acknowledged to me that she did execute the foregoing instrument.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this \_\_\_\_\_ day of  
, 201\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_, OWNER OF PPN# \_\_\_\_\_

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

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

State of Ohio            )  
                              )       ss:  
County of Medina        )

Before me, a notary public, in and for said county and state, personally appeared \_\_\_\_\_,  
who acknowledged to me that she did execute the foregoing instrument on behalf of Owner and Holder.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this \_\_\_\_\_ day of  
, 201\_.

---

Notary Public

# SOUTH ELMWOOD AVENUE 60' R/W

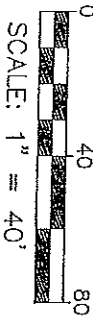
P.P.O.B. EASEMENT NO. 1  
P.P.O.B. EASEMENT NO. 2

WEST SMITH ROAD 60' R/W

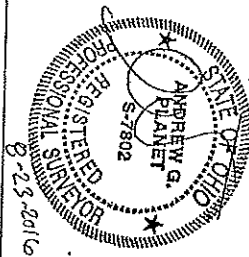
**SKETCH OF EASEMENT**  
SITUATED IN CITY OF MEDINA, COUNTY OF  
MEDINA, STATE OF OHIO AND KNOWN AS BEING  
PART OF MEDINA CITY LOT NO. 8053

Line #	Length	Direction
L1	204.60'	N89° 13' 32"E
L5	140.08'	N89° 13' 32"E
L6	65.28'	S00° 00' 00"E
L7	90.45'	N85° 30' 28"W
L8	57.14'	N85° 28' 38"W
L9	24.35'	N01° 28' 41"W
L10	5.68'	S00° 04' 53"E
L11	57.78'	S76° 09' 42"E
L12	56.55'	N88° 28' 38"W
L13	10.32'	N00° 04' 53"W

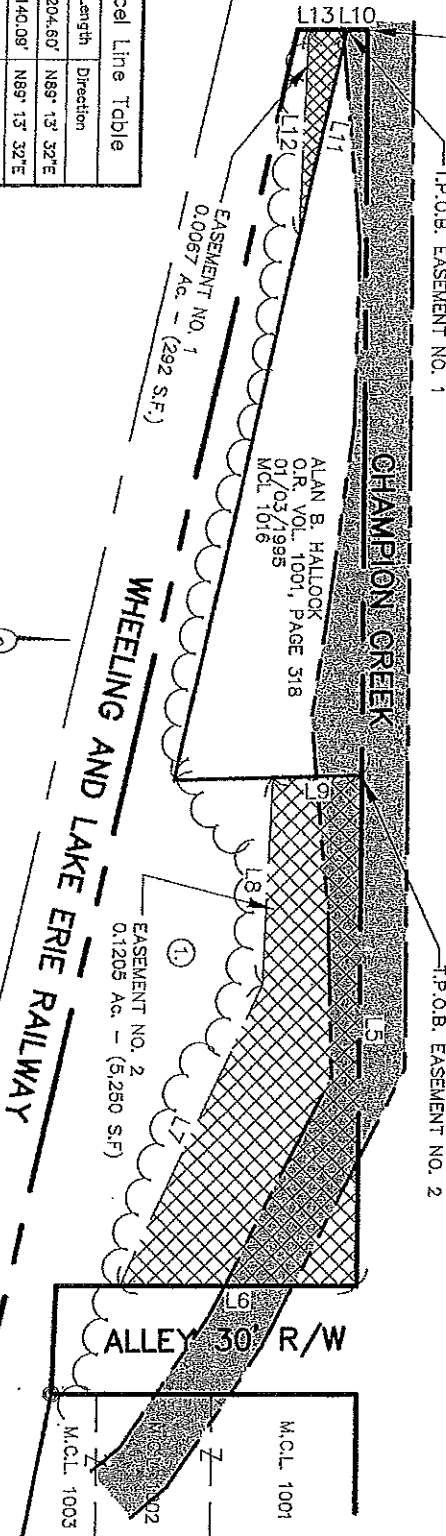
NOTE: BEARINGS ARE BASED ON  
AN ASSUMED MERIDIAN AND ARE  
USED TO DENOTE ANGLES ONLY.



OWNERSHIP INFORMATION  
1.) SANDRA J. RUSINKO  
DOC. NO. 2012CR002635  
02/03/2012  
MCL 8053



**June 2016**  
CITY ENGINEERING & SURVEYING  
SUITE 8  
MEDINA, OHIO 44055  
PHONE: (330)723-1828  
FAX: (330)723-6937  
PROJECT NO. 31.652





Engineering and Surveying  
257 S. Court St. • Suite 6  
Medina, Ohio 44256  
Phone: 330-723-1828 • 800-723-1870  
Fax: 330-723-6637  
E-mail: rh@geoinno.com

Legal Description for a Variable Width Easement No.1  
Project No. 31,652  
August 22, 2016

Situated in the City of Medina, County of Medina and State of Ohio, and known as being part of Medina City Lot No. 8053 and being part of lands conveyed to Sandra J. Rusinko by deed dated February 03, 2012 as recorded in Document No. 2012OR002635 of Medina County Recorder's Records further bounded and described as follows:

Commencing at the Northwest corner of lands conveyed to Alan B. Hallock, by deed dated January 03, 1995 as recorded in O.R. Volume 1001, Page 318 of Medina County Recorder's Records the same point being in the Easterly Right-of-Way line of South Elmwood Avenue, having a 60 foot Right-of-Way at its intersection with the Southerly Right-of-Way line of West Smith Road, having a 60 foot Right-of-Way;

Thence, bearing South 00°04'53" East following the Easterly line of said South Elmwood Avenue, a distance of 5.68 feet to a point therein, the same point being the Northwesterly corner of said lands conveyed to Sandra J. Rusinko and the **TRUE PLACE OF BEGINNING** of the variable width easement herein described;

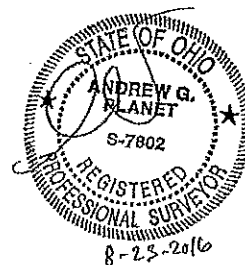
Thence, bearing South 78°09'42" East following the Northerly line of said lands conveyed to Sandra J. Rusinko and the Southerly line of said lands conveyed to Alan B. Hallock, a distance of 57.78 feet to a point therein;

Thence, bearing North 88°26'38" West, a distance of 56.55 feet to an angle point, said point being in the Easterly line of said South Elmwood Avenue;

Thence following the Easterly line of said South Elmwood Avenue, bearing North 00°04'53" West, a distance of 10.32 feet to the **TRUE PLACE OF BEGINNING**, containing 0.0067 Acres (292 S.F.) of land, more or less but subject to all legal highways and all covenants and agreements of record.

Bearings are based on an assumed meridian and are used herein to indicate angles only.

This legal description was prepared based on a survey under the supervision of Andrew G. Planet P.S. No. S-7802 by Rolling & Hoyer, Inc. in June, 2016





Engineering and Surveying  
257 S. Court St. • Suite 6  
Medina, Ohio 44256  
Phone: 330-723-1828 • 800-723-1870  
Fax: 330-723-6637  
E-mail: rh@geoinno.com

Legal Description for a Variable Width Easement No.2  
Project No. 31,652  
August 22, 2016

Situated in the City of Medina, County of Medina and State of Ohio, and known as being part of Medina City Lot No. 8053 and being part of lands conveyed to Sandra J. Rusinko by deed dated February 03, 2012 as recorded in Document No. 2012OR002635 of Medina County Recorder's Records further bounded and described as follows:

Commencing at the Northwest corner of lands conveyed to Alan B. Hallock, by deed dated January 03, 1995 as recorded in O.R. Volume 1001, Page 318 of Medina County Recorder's Records the same point being in the Easterly Right-of-Way line of South Elmwood Avenue, having a 60 foot Right-of-Way at its intersection with the Southerly Right-of-Way line of West Smith Road having a 60 foot Right-of-Way;

Thence along the Southerly line of said West Smith Road, bearing North 89°13'32" East a distance of 204.60 feet to a point therein, the same point being the Northeast corner of said lands conveyed to Alan B. Hallock, also being a Northerly corner of said lands conveyed to Sandra J. Rusinko and the **TRUE PLACE OF BEGINNING** of the variable width easement herein described;

Thence continuing along the Southerly line of said West Smith Road and the northern line of said lands conveyed to Sandra J. Rusinko, bearing North 89°13'32" East, a distance of 140.09 feet to a point therein, said point also being in the westerly line of an Alley having a 30 foot Right-of-Way;

Thence following an Easterly line of said lands conveyed to Sandra J. Rusinko and the Westerly line of said 30 foot Alley, bearing South 0°00'00" East, a distance of 65.29 feet to a point therein;

Thence leaving the Westerly line of said 30 foot Alley, bearing North 65°30'26" West, a distance of 90.46 feet to an angle point;

Thence, bearing North 88°26'38" West, a distance of 57.14 feet to a point, the same being in the Easterly line of said lands conveyed to Alan B. Hallock;

Thence following the Easterly line of said lands conveyed to Alan B. Hallock, bearing North 01°29'41" West, a distance of 24.35 feet to the **TRUE PLACE OF BEGINNING**, containing 0.1205 Acres (5,250 S.F.) of land, more or less but subject to all legal highways and all covenants and agreements of record.

Bearings are based on an assumed meridian and are used herein to indicate angles only.

This legal description was prepared based on a survey under the supervision of Andrew G. Planet P.S. No. S-7802 by Rolling & Hocevar, Inc. in June, 2016



# SOUTH BROADWAY STREET(S.R. 57, S.H. 321) VARIABLE WIDTH

Line #	Length	Direction
L6	45.31'	S03° 11' 41" W
L7	15.54'	S76° 47' 45" W
L8	91.11'	N58° 01' 08" W
L9	84.06'	N70° 19' 49" W
L10	158.39'	N77° 12' 37" W
L11	11.75'	N00° 11' 22" E
L12	336.83'	S77° 12' 37" E

STATE OF OHIO  
P.N. 028-150-01-118

PART OF MCL 1061, 1062, & 1064  
WHEELING & LAKE ERIE RAILWAY  
O.R. VOL. 552, PG. 181  
05/22/1990

WHEELING AND LAKE ERIE RAILWAY

SKETCH OF EASEMENT  
SITUATED IN THE CITY OF MEDINA, COUNTY OF  
MEDINA AND STATE OF OHIO, ALSO KNOWN AS  
BEING PART OF MEDINA CITY LOT NO. 1064.

EASEMENT  
0.1573 AC. - (6,852 S.F.)

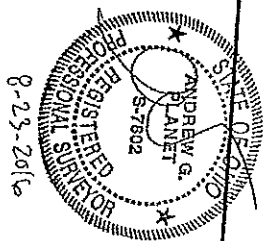
PART OF MCL 1064  
CITY OF MEDINA  
DOC.# 20120R0006457  
03/20/2012

P.P.O.B. EASEMENT  
T.P.O.B. EASEMENT



SCALE: 1" = 40'

NOTE: BEARINGS ARE BASED ON  
AN ASSUMED MERIDIAN AND ARE  
USED TO DENOTE ANGLES ONLY.



OWNERSHIP INFORMATION  
1.) PART OF MCL 1061 & MCL 1065  
MEDINA COMMUNITY CHURCH  
O.R. VOL. 219, PG. 704  
09/19/1984

CIVIL ENGINEERING & SURVEYING  
227 SOUTH COURT STREET  
SUITE 8 OHIO 44856  
PHONE (330) 723-6528  
FAX (330) 723-6537  
PROJECT No. 31-052

June 2016





Engineering and Surveying  
257 S. Court St. • Suite 6  
Medina, Ohio 44256  
Phone: 330-723-1828 • 800-723-1870  
Fax: 330-723-6637  
E-mail: rh@geoinno.com

Legal Description for a Variable Width Easement  
Project No. 31,652  
August 22, 2016

Situated in the City of Medina, County of Medina and State of Ohio, and known as being part of Medina City Lot No. 1064 also being part of lands conveyed to City of Medina by deed dated March 20, 2012 as recorded in Document No. 2012OR0006457 of Medina County Recorder's Records further bounded and described as follows:

Commencing at the Northeasterly corner of said lands conveyed to City of Medina, also being a point in the Southern Right-of-Way line of lands conveyed to the Wheeling and Lake Erie Railway by deed dated May 22, 1990 as recorded in Official Record Volume 552, Page 181 of Medina County Recorder's Records and the **TRUE PLACE OF BEGINNING** of the Variable Width Easement herein described;

Thence along the Easterly line of said lands conveyed to City of Medina, bearing South 03°11'41" West, a distance of 45.31 feet to a point therein;

Thence, bearing South 76°47'45" West, a distance of 15.54 feet to an angle point;

Thence, bearing North 58°01'08" West, a distance of 91.11 feet to an angle point;

Thence, bearing North 70°19'49" West, a distance of 84.06 feet to an angle point;

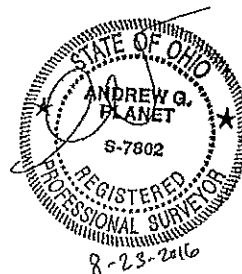
Thence, bearing North 77°12'37" West, a distance of 158.39 feet to a point, said point being in the Easterly Right-of-Way line of South Broadway Street (S.R. 57, S.H. 321) having a variable width Right-of-Way;

Thence, along the Easterly Right-of-Way line of said South Broadway Street, bearing N 00° 11'22" East, a distance of 11.75 feet to an angle point therein, the same being in the Southern Right-of-Way line of said Wheeling and Lake Erie Railway;

Thence following the Southerly line of said Wheeling and Lake Erie Railway, and the Northerly line of said lands conveyed to City of Medina, bearing South 77°12'37" East, a distance of 336.88 feet to the **TRUE PLACE OF BEGINNING**, containing 0.1573 Acres (6,852 S.F.) of land, more or less but subject to all legal highways and all covenants and agreements of record.

Bearings are based on an assumed meridian and are used herein to indicate angles only.

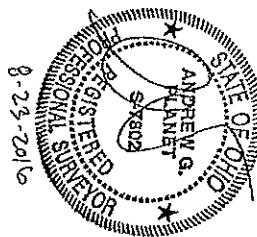
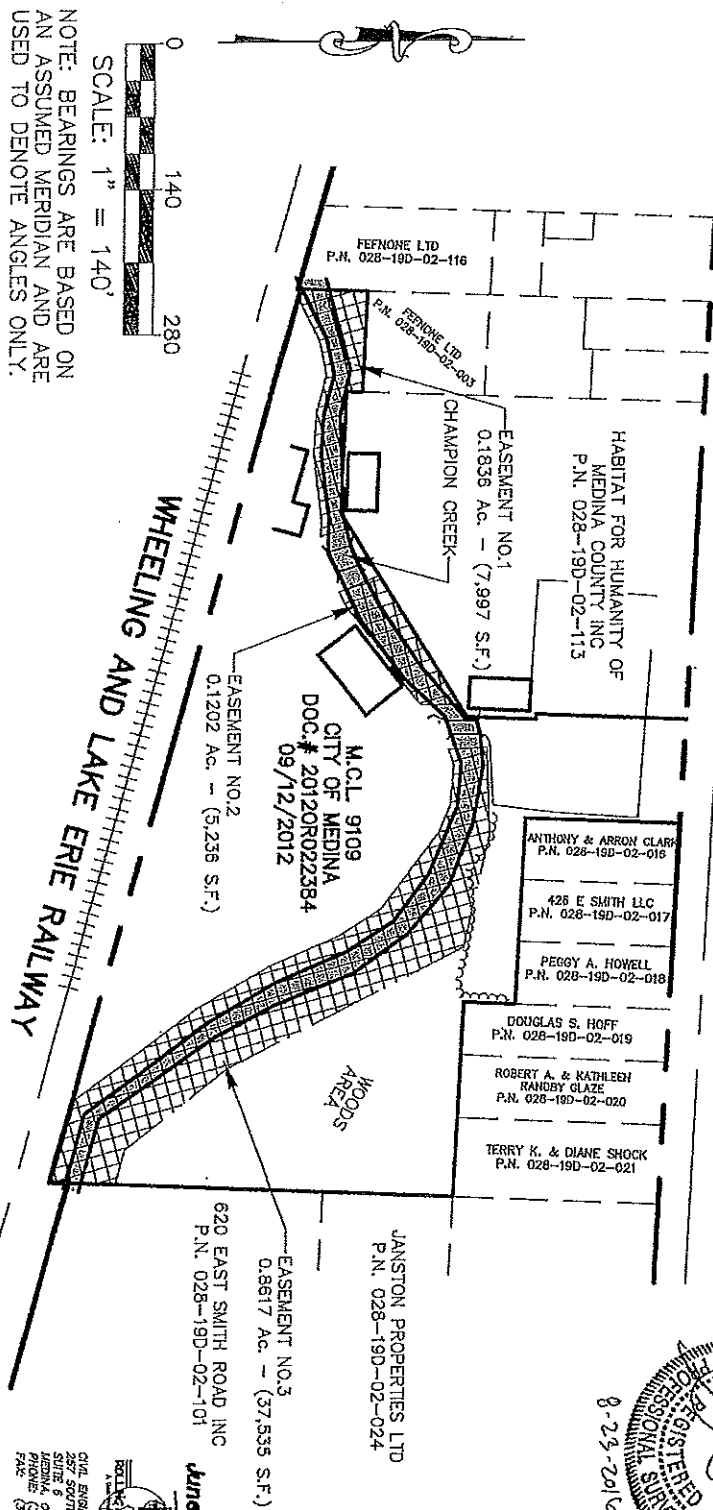
This legal description was prepared based on a survey under the supervision of Andrew G. Planet P.S. No. S-7802 by Rolling & Hoyer, Inc. in June, 2016



# WEST SMITH ROAD 60' R/W

SITUATED IN CITY OF MEDINA, COUNTY OF MEDINA,  
STATE OF OHIO AND KNOWN AS BEING PART OF  
MEDINA LOT NO. 9109

## SKETCH OF EASEMENT



CIVIL ENGINEERING & SURVEYING  
257 SOUTH COURT STREET  
SUITE 8 CHIO 44355  
PHONE: (330)723-1828  
FAX: (330)723-6537  
PROJECT NO. 31452



June 2016

# SKETCH OF EASEMENT

SITUATED IN CITY OF MEDINA, COUNTY OF MEDINA,  
STATE OF OHIO AND KNOWN AS BEING PART OF  
MEDINA LOT NO. 9109

DOUGLAS S. HOFF  
P.N. 028-190-02-019

ROBERT A. & KATHLEEN  
RANDOLPH GLAZ  
P.N. 028-190-02-020

TERRY K. & DIANE SHOCK  
P.N. 028-190-02-021

M.C.L. 9109  
CITY OF MEDINA  
DOC. # 20120R022384  
09/12/2012

JANSTON PROPERTIES LTD  
P.N. 028-190-02-024

WOODS AREA

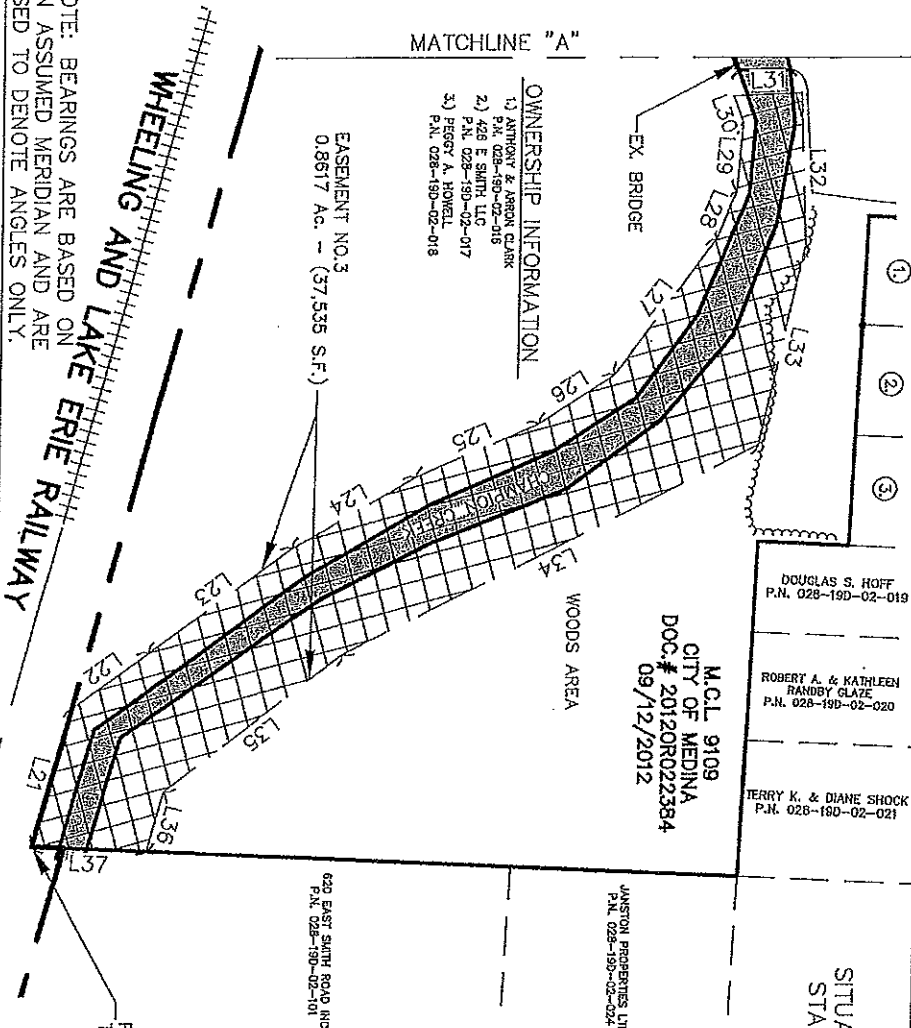
## OWNERSHIP INFORMATION

- 1) JANSTON & ARON CLARK  
P.N. 028-190-02-018
- 2) 428 E. SMITH, LLC  
P.N. 028-190-02-017
- 3) PEGGY A. HOWELL  
P.N. 028-190-02-018

EASEMENT NO. 3  
0.8617 Ac. ~ (37,535 S.F.)

620 EAST SMITH ROAD, INC  
P.N. 028-190-02-101

NOTE: BEARINGS ARE BASED ON  
AN ASSUMED MERIDIAN AND ARE  
USED TO DENOTE ANGLES ONLY.



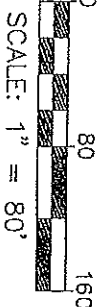
Line #	Length	Direction
L1	53.54'	N02° 17' 00"E
L2	98.01'	S07° 18' 00"E
L3	15.03'	S02° 17' 00"W
L4	115.83'	S07° 43' 00"E
L5	16.79'	N57° 44' 30"E
L6	28.38'	S16° 40' 50"E
L7	16.59'	N69° 41' 20"W
L8	50.68'	S82° 44' 20"W
L9	39.54'	N68° 51' 40"W
L10	39.34'	N72° 13' 40"W
L11	34.58'	S78° 31' 00"W
L12	45.78'	S83° 28' 40"W
L13	9.52'	N74° 40' 00"W
L14	70.88'	N57° 44' 30"E
L15	146.23'	N67° 44' 30"E
L16	36.29'	S00° 04' 10"W
L17	8.15'	S42° 54' 30"W
L18	115.00'	S82° 57' 20"W
L19	12.92'	S64° 07' 50"W
L20	41.59'	N77° 08' 50"W

Line #	Length	Direction
L21	72.25'	N74° 40' 00"W
L22	51.87'	N35° 40' 40"W
L23	97.58'	N55° 10' 00"W
L24	77.14'	N25° 40' 40"W
L25	72.83'	N23° 24' 20"W
L26	48.98'	N32° 48' 50"W
L27	92.27'	N57° 33' 20"W
L28	28.53'	N67° 25' 10"W
L29	38.57'	N68° 32' 00"W
L30	15.58'	S70° 15' 20"W
L31	37.20'	N02° 39' 50"W
L32	84.53'	N87° 45' 40"E
L33	111.58'	S77° 31' 40"E
L34	254.27'	S29° 44' 10"E
L35	123.27'	S27° 58' 30"E
L36	33.61'	S74° 40' 00"E
L37	83.57'	S02° 35' 00"W

June 2016



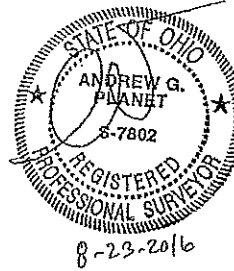
CIVIL ENGINEERING & SURVEYING  
297 SOUTH COURT STREET  
SUITE 8  
MEDINA, OHIO 44028  
PHONE: (330) 722-1828  
FAX: (330) 725-6857  
PROJECT NO. 31592



P.P.O.B. EASEMENT NO. 3  
T.P.O.B. EASEMENT NO. 3

Bearings are based on an assumed meridian and are used herein to indicate angles only.

This legal description was prepared based on a survey under the supervision of Andrew G. Planet  
P.S. No. S-7802 by Rolling & Hoyer, Inc. in June, 2016.





Engineering and Surveying  
257 S. Court St. • Suite 6  
Medina, Ohio 44256  
Phone: 330-723-1828 • 800-723-1870  
Fax: 330-723-6637  
E-mail: rh@geoinno.com

Legal Description for a Variable Width Easement No. 3  
Project No. 31,652  
August 23, 2016

Situated in the City of Medina, County of Medina and State of Ohio, also known as being part of Medina City Lot No. 9109 and being part of lands conveyed to the City of Medina by deed dated September 12, 2012 as recorded in Document No. 2012OR022384 of Medina County Recorder's Records further bounded and described as follows:

Commencing at the Southeasterly corner of said lands conveyed to the City of Medina, also being a point in the Northerly Right-of-Way line of the Wheeling and Lake Erie Railway, and the **TRUE PLACE OF BEGINNING** of the Variable Width Easement herein described;

Thence along the Northerly line of said Wheeling and Lake Erie Railway, and the Southerly line of said lands conveyed to the City of Medina, bearing North 74°40'00" West, a distance of 79.25 feet to a point therein;

Thence leaving the Northerly line of said Wheeling and Lake Erie Railway, and the Southerly line of said lands conveyed to the City of Medina, bearing North 35°40'40" West a distance of 51.87 feet to an angle point;

Thence, bearing North 36°10'00" West, a distance of 97.58 feet to an angle point;

Thence, bearing North 29°49'40" West, a distance of 77.14 feet to an angle point;

Thence, bearing North 23°24'20" West, a distance of 72.83 feet to an angle point;

Thence, bearing North 32°48'50" West, a distance of 48.98 feet to an angle point;

Thence, bearing North 53°33'20" West, a distance of 92.27 feet to an angle point;

Thence, bearing North 67°25'10" West, a distance of 28.53 feet to an angle point;

Thence, bearing North 85°32'00" West, a distance of 38.37 feet to an angle point;

Thence, bearing South 70°15'20" West, a distance of 15.58 feet to an angle point;

Thence, bearing North 02°39'50" West, a distance of 37.20 feet to an angle point;

Thence, bearing North 87°46'40" East, a distance of 84.63 feet to an angle point;

Thence, bearing South 77°31'40" East, a distance of 111.38 feet to an angle point;

Thence, bearing South 26°44'10" East, a distance of 254.27 feet to an angle point;

Thence, bearing South 37°59'30" East, a distance of 123.27 feet to an angle point;

Thence, bearing South 74°40'00" East, a distance of 33.81 feet to a point, the same being in the Easterly line of said lands conveyed to the City of Medina;

**ORDINANCE NO. 101-17**

**AN ORDINANCE AMENDING SECTIONS 31.05 AND 31.07 OF THE SALARIES AND BENEFITS CODE OF THE CITY OF MEDINA, OHIO RELATIVE TO THE CABLE TV DEPARTMENT, AND ACCEPTING THE JOB DESCRIPTION OF ASSISTANT PRODUCER/TECHNICAL OPERATIONS DIRECTOR.**

**WHEREAS:** Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio, pertaining to the Cable TV Department presently reads as follows:

<b>CABLE TV</b>		
<u>Number</u>	<u>Classification</u>	<u>Steps Authorized</u>
1	Cable TV Executive Director/General Manager	16 A-F
1	Cable TV Operations Director	12 A-F
1	Cable TV Production Assistant (parttime)**	Sec. 31.02(B)(9)
1	Assist. Producer/Technical Operations Director *	3 A-F

Note: All Cable TV positions are appointed by and under the direction of the ACCESS Commission.

\*Jointly funded position with Medina City Schools. See agreement authorized by Ord. 246-06.

\*\*The position of Production Assistant may be filled by more than one person not to exceed twenty-nine (29) hours per week combined.

Ord. 54-04, 246-06, 187-14

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

**SEC. 1:** That Section 31.05 of the Salaries and Benefits Code of the City of Medina, Ohio pertaining to the Cable TV Department shall be amended to read as follows:

<b>CABLE TV</b>		
<u>Number</u>	<u>Classification</u>	<u>Steps Authorized</u>
1	Cable TV Executive Director/General Manager	16 A-F
1	Cable TV Operations Director	12 A-F
1	Cable TV Production Assistant (parttime)**	Sec. 31.02(B)(9)
1	Assist. Producer/Technical Operations Director *	<del>3 A-F</del> 8 A-F

Note: All Cable TV positions are appointed by and under the direction of the ACCESS Commission.

\*Jointly funded position with Medina City Schools. See agreement authorized by Ord. 246-06.

\*\*The position of Production Assistant may be filled by more than one person not to exceed twenty-nine (29) hours per week combined.

Ord. 54-04, 246-06, 187-14, **101-17**

**SEC. 2:** That in accordance with Section 31.07, the job description for Assistant Producer/Technical Operations Director is hereby accepted and approved.

**SEC. 3:** That this position is jointly funded by the Medina City Schools, therefore, this change is contingent upon Medina City School Board approval.

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

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

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

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

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

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

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

**THE CITY OF MEDINA  
JOB DESCRIPTION**

IV-805

NEW  
ORD. 101-17

**TITLE:** Assistant Producer/Technical Operations Director

**REPORTS TO:** Cable TV Executive Director/General Manager

**DEPARTMENT/DIVISION:** Cable

**CIVIL SERVICES STATUS:** Classified

**JOB STATUS:** Full-time

**EXEMPT STATUS:** Non-exempt

**CLASSIFICATION FEATURES:** The individual in this classification performs a variety of pre-production, production and post-production duties under the direct supervision of the Cable TV Executive Director/General Manager. The position requires the ability to accept a production project from inception to completion with no additional training or guidance, as well as the ability to assist in the supervision and training of volunteers in production situations. The individual will also oversee and manage the usage of the Medina Performing Arts Center (PAC) in all technical aspects and operating conditions for school, community and professional events that take place at PAC.

**ESSENTIAL JOB FUNCTIONS:**

Works with City, school, county and community representatives to ensure appropriate and useful information for the Community Television Services.

Creates and develops set or scene designs for productions.

Handles production of studio and remote location tapings for broadcast on Medina Cable Access.

Edits Public Service Announcements, promotions and programs for broadcast.

Develops relationships with various departments and agencies for programming on television channels.

Acts as liaison among the City, schools and community.

Promotes the development, delivery and growth of Access television in Medina.

Maintains the electronic bulletin boards as well as the Emergency Alert System.

Maintains and updates box office computer system.

Ensures the efficient operation of the PAC and related functions.

Maintains regular and consistent attendance.



Assists in developing the website for community television services and explores avenues for use of the Internet.

**Updates and uses Social Media to promote both the PAC and Medina TV.**

**Informs residents of news and information using Social Media and various websites.**

Works in conjunction with the local cable company to ensure the best product for viewers (i.e., live feeds, emergency announcements and satellite and program feeds).

Maintains wiring and equipment installation at facility and remote locations.

Manages all equipment owned and operated by PAC.

**Works with maintenance and custodial of MCS to keep the PAC operating at its fullest potential.**

Makes recommendations pertaining to the purchasing of equipment for PAC.

**Supervises all technical support staff at the PAC.**

**Schedules and assigns technical support staff to events in the PAC and Middle Stage.**

**Contacts Renters of the PAC to ensure technical needs are met for their rental.**

Responsible for training and certifying technical support staff with facility operations.

**Serves as Operations Director when working in the PAC.**

Ensures that the policies and procedures of PAC are followed at all times.

Recruits and trains volunteer and student producers and production personnel.

Oversees facility management in the absence of the PAC office manager.

**Must work hand in hand with information technology to meet the needs of renters of the PAC and Middle Stage.**

**Is the emergency person on-call for all Performing Arts events unless otherwise noted.**

Works with the local news outlets to provide information to the media that will assist in program design and production.

Attends meetings of the Advisory Commission on Communication Enhancement Support Services (ACCESS) Committee to provide input at meetings relative to the operation of the production facilities.

## **EDUCATION, TRAINING AND EXPERIENCE:**

Possession of a Bachelor's degree or equivalent from a four-year college or university.

Five to ten years experience in theater technology.

Experience as a producer of broadcast, independent or public access programming with an understanding of the potential of community utilization of cable television.

Experience in theater production.

Some supervisor or teaching experience and experience in public speaking as well as experience in lighting for studio and remote locations.

## **QUALIFICATIONS:**

### **Knowledge of:**

- Cable television industry and the City of Medina ACCESS philosophy; and
- Field production techniques and principles.

### **Skilled in:**

- Working in a cooperative and encouraging manner with community members, City school employees and students;
- Representing the City, school system and community in a favorable light;
- Operating a variety of theatre equipment including a DMX lighting control console, lighting instruments, sound control console, audio processing equipment, wireless microphones, acoustic concert shell, fly system and computerized box office software; and
- Operating a variety of professional video production equipment, including video cameras, video switching equipment, lighting equipment, microphones and audio control devices, editing systems, computer graphic systems and other related peripherals.

### **Ability to:**

- Maintain good taste and judgment in all production activities;
- Update and maintain websites;
- Handle a wide range of professional video equipment;
- Communicate effectively in writing or orally with co-workers, supervisors and the general public;
- Operation of basic cable and public access channels; and
- Understand and follow oral and written instructions.

## **PHYSICAL DEMANDS:**

This position requires the employee to spend a large part of each working day standing, walking, transporting and handling video equipment. Strength and agility sufficient to lift and maneuver video equipment and television design sets. This position requires the employee to spend a large part of each working day standing and walking and transporting and handling equipment up to 100 pounds and the ability to push and pull equipment up to 500 pounds. This position involves occasional standing, bending, stooping, crawling, squatting, lifting, kneeling and reaching.

**ENVIRONMENTAL ELEMENTS:**

The majority of the time is spent working indoors but at times the work performed may involve working outside in various weather conditions. The position includes a high incidence of interaction with school and City employees, students and citizens.

**WORKING CONDITIONS:**

This position requires working various hours including weekends. May be required to work outside normal business hours including weekends, evenings and holidays.

**EQUIPMENT USED:**

**ADDITIONAL REQUIREMENTS:** The above information on this description has been designed to indicate the general nature and level of work performed by employees within this classification. It is not designed to contain or be interpreted as a comprehensive inventory of all duties, responsibilities and qualifications required of employees assigned to this job. Employee understands that conditions may require the City to modify this Job Description and that the City reserves the right to exercise its discretion to make such changes.

EMPLOYEE ACKNOWLEDGMENT: \_\_\_\_\_

DATE: \_\_\_\_\_

**ORDINANCE NO. 102-17****AN ORDINANCE AMENDING RULE VIII (K) (3) OF THE CIVIL SERVICE RULES AND REGULATIONS OF THE CITY OF MEDINA RELATIVE TO PROBATIONARY PERIODS FOR PROMOTIONAL APPOINTMENTS.**

**WHEREAS:** Ordinance No. 74-16, passed May 23, 2016, adopted revised Civil Service Rules and Regulations; and

**WHEREAS:** Rule VIII (K) (3) of the Civil Service Rules and Regulations relative to Probationary Periods for Promotional Appointments presently reads as follows:

3. Probationary Period for Promotional Appointments

All permanent promotional appointments in the classified service shall serve a probationary period of forty-five (45) calendar days from the date of such promotion (thirty (30) days for City Schools Civil Service employees), except that the following promotional appointment shall serve a probationary period of one (1) year:

a. Appointees to Police Communication/ Records Supervisor

If, during that period, the service of the employee so appointed is not satisfactory, the employee may be reduced to the position from which the promotion was made.

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

**SEC. 1:** That Rule VI I (K) (3) of the Civil Service Rules and Regulations relative to Probationary Periods for Promotional Appointments shall be amended to read as follows:

3. Probationary Period for Promotional Appointments

All permanent promotional appointments in the classified service shall serve a probationary period of forty-five (45) calendar days from the date of such promotion (thirty (30) days for City Schools Civil Service employees), except that the following promotional appointment shall serve a probationary period of one (1) year:

~~a. — Appointees to Police Communication/ Records Supervisor~~

- a. Appointees to Police Lieutenant
- b. Appointees to Police Chief
- c. Appointees to Fire Lieutenant
- d. Appointees to Fire Captain
- e. Appointees to Fire Operations Captain
- f. Appointees to Fire Assistant Chief
- g. Appointees to Fire Marshall
- h. Appointees to Fire Chief

**i. Appointees to Secretary to the Civil Service Commission**

If, during that period, the service of the employee so appointed is not satisfactory, the employee may be reduced to the position from which the promotion was made.

**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.

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

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

**President of Council**

**ATTEST:** \_\_\_\_\_

**Clerk of Council**

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

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

**Mayor**