

CITY OF MEDINA
AGENDA FOR COUNCIL MEETING

September 25, 2017
Medina City Hall
7:30 p.m.

Call to Order.

Roll Call.

Reading of minutes. (September 11, 2017)

Reports of standing committees.

Requests for council action.

Reports of municipal officers.

Confirmation of Mayor's appointment.

Cemetery Commission – Gregory Walter, expiring 12/31/2018

Notices, communications and petitions.

Unfinished business.

Introduction of visitors.

(speakers limited to 5 min.)

Richard Doyle, Artist – Gifting 2009 Painting “Medina, Ohio” to the City

Introduction and consideration of ordinances and resolutions.

Res. 136-17

A Resolution recognizing the month of September as National Prostate Cancer Awareness Month.

Ord. 137-17

An Ordinance adopting the amended Agreement with the City of Brunswick for Reciprocal Backup Chief Building Official Services.
(emergency clause requested)

Ord. 138-17

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

Ord. 139-17

An Ordinance authorizing the Mayor to execute a Revocable Use Permit to use or occupy a part of the City Right-of-Way with a decorative block landscaping wall located at 260 W. Court Street.

Ord. 140-17

An Ordinance authorizing the Mayor to enter into Amendment No. 9 to the Agreement with Delta Airport Consultants, Inc. for modifications of project plans and specifications and re-bidding for the North-South Taxiway Reconstruction Project at the Medina Municipal Airport.

Res. 141-17

A Resolution supporting and accepting the Friends of the Cemetery's Spring Grove Cemetery Material Storage Shed Project.

Res. 142-17

A Resolution in Support of the Ohio Department of Transportation's Speed Evaluation Study for State Route 18.

Council comments.

Adjournment.

MEDINA CITY COUNCIL
Monday, September 11th, 2017

Opening:

Medina City Council met in regular, open session on Monday, September 11th, 2017. The meeting was called to order at 7:30 p.m. by President of Council John Coyne who led the Pledge of Allegiance.

Roll Call:

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

Minutes:

Mr. Shields moved that the minutes from the regular meeting on August 28th, 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 J. Coyne, B. Hilberg, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated they met prior to tonight's Council meeting and will meet again in two weeks, there are several items on tonight's agenda.

Health, Safety & Sanitation Committee: Mr. Kolesar – Absent

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb had no report.

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

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

Emerging Technologies Committee: Mr. Rose had no report.

Requests for Council Action:

Finance Committee

- 17-156-9/11 – Spring Grove Cemetery – Master Plan Proposal Discussion
- 17-157-9/11 – Amendment #9 – N-S Taxiway Reconstruction @ Airport
- 17-158-9/11 – Establish Speed Limit on SR 18
- 17-159-9/11 – Exp. Over \$15,000 - Purchase 2018 F-150 Pick Up Truck – Water Dept.
- 17-160-9/11 – Budget Amendments
- 17-161-9/11 – Fund Transfer – Jedd Fund to Bicentennial Fund
- 17-162-9/11 – Fund Transfer – General Fund to Bicentennial Fund
- 17-163-9/11 – Expenditure for 2017 Holiday Lighting
- 17-164-9/11 – Revocable Use Permit – 260 S. Court Street
- 17-165-9/11 – Renewal of Backup Chief Building Official Agreement w/ Brunswick

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported the following:

- 1) Police Chief testing in process. Assessment center completed and written test scheduled for September 14th, 2017. Candidates then have a period to review before list and top names are certified to me. Hope to complete by early October.
- 2) Tunnel to Towers event Sunday, September 10th. We attended and participated in by our staff and safety forces. Monies raised help build "smart homes" for our wounded military members missing multiple limbs so they may live independently safely.
- 3) Fire District Advisory Committee - One Trustee and three residents from both Medina and Montville Township. City representatives will be Chair of Health Safety, Councilman Mark Kolesar, resident Gary Linden, business owner Mark Williams, and myself. Purpose is to review current operations and discuss need for additional staffing hours or days in relation to our call stats. Once that is reviewed, we will begin process of reviewing the formation of a fire district for all three jurisdictions.
- 4) Thanks to all residents and visitors to the newly renovated and reopened Medina City Pool. Well attended and used, even with some cooler summer days.
- 5) Thanks to Ms. Debra Hallock, for establishing a new nonprofit to raise funds for future needs of Memorial Park and Pool.

Keith Dirham, Finance Director, stated the General Funds Budgets have been submitted and are scheduled for review and those will be started later this week.

Greg Huber, Law Director, had no report.

Lt. Birckbichler, Acting Police Chief, stated on September 6th, officers from the Medina City Police Department in cooperation with Medina County Drug Task Force, US Marshall Service, the DEA, Medina County Sheriff's Office, and Ohio BCI conducted a drug bust in the City of Medina. Total of 29 indictments were handed down, 17 of those were Federal indictments. 12 were State indictments.

Two employees of the Medina Police Department have been called up for active duty to assist in the recovery and rescue operations in Texas and Florida.

Kimberly Marshall, Economic Development Director, had no report.

Jonathon Mendel, Planning Community Director, had no report.

Chief Painter, Fire Chief, Stated the Fire Department will be hosting their annual Open House and Safety Day On Saturday, October 14th from 11 a.m. to 2 p.m. at Fire Station #1 located at 300 W. Reagan Parkway. Free event, rain or shine. There will be emergency vehicles, popcorn, hot dogs and even a helicopter for the kids.

Mike Wright, Recreation Center Director, stated they have a Rec Advisory Committee Meeting on Thursday, September 21st at 7:30 a.m.

Jansen Wehrley, Parks and Recreation Director, Stated the Splashpads are closed for the season as of Labor Day. They just performed a reroute of the mountain bike trail at Huffman and Cunningham Park and ask that the trail users obey the signs.

Dan Gladish, Building Official, had no report.

Patrick Patton, City Engineer, stated the Concrete Street Repair project is well on its way, this is where we replace concrete slabs in the pavement all throughout town. ODOT is starting two bridge projects in the city, one is on N. Harmony, and the other on West Smith. Both locations, the road will have to be closed at the bridge for 90 days. These are city bridges and the State is paying for them.

Nino Piccoli, Service Director, stated that if approved by City Council, the annual City Auction will be Saturday, October 21st at the City garage, 781 West Smith Road, the preview will be at 9 a.m. and the auction will start promptly at 10 a.m.

Confirmation of Council Appointments

Fire District Advisory Committee – City of Medina Representatives:

Mayor – Dennis Hanwell – Chair Safety Director

Chair of Health, Safety, Sanitation Committee – Mark Kolesar

Resident Representative – Gary Linden

Business Representative – Mark Williams

Mr. Shields moved to confirm Council's appointments for the Fire District Advisory Committee, seconded by Mr. Simpson. Motion passed by the yeas votes of B. Hilberg, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Notices, Communications and Petitions:

There were none.

Unfinished Business:

There was none.

Introduction of Visitors:

Stanley Scheetz, Attorney - 225 East Liberty St. representing and introducing his client Brian Russell. Mr. Russell explained he didn't realize how challenging it would be to get approval on the storage units, especially with the type of smaller homes going up with the need for storage. The site on Rt. 57 across from the Fire Station he felt was a perfect location. He felt it wouldn't offend anyone. These storage units would be for household goods. He has never had any safety troubles with his units. The design doesn't show any windows or doors and esthetically the

buildings would be appealing. He has cameras 24 hours, with low lights on the buildings. No issues with traffic with people coming and going. He spoke with the neighbors and none of them had any concerns. He wishes Council would consider this.

Kevin Lewis, 4945 Mandarin Drive in Seville was here from the Laborer's District Council of Ohio – Laborers-Employers Cooperation and Education Trust Labor Union. He stated he came to do some PR work and is interested in man-hours for when you bid out a project to construction companies. Medina County is part of the Akron Local. They are certified and they are not State funded.

Introduction and Consideration of Ordinances and Resolutions:

Ord. 118-17

An Ordinance authorizing the Job Creation Grant Agreement for Spray Products Corporation. Mr. Shields moved for the adoption of Ordinance/Resolution No. 118-17, seconded by Mr. Simpson. Kimberly Marshall stated this is for the Mayor to enter into a Job Creation Grant Agreement for Spray Products Corporation for the purpose of acquiring a building at 1000 Lake Rd. This agreement has been reviewed and approved by the Law Director. The roll was called and Ordinance/Resolution No. 118-17 passed by the yeas of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 119-17

An Ordinance amending Sections 31.02(D), 31.05 and 31.07.7 of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Fire Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 119-17, seconded by Mr. Simpson. Chief Painter stated this is for elimination of the First Assistant Chief position, it was vacated due to retirement. A clean up of the title for the 2nd Assistant Chief Fire Marshal is a full time position and it would change to Assistant Chief Fire Marshall, no change in job description or salary. Lastly, add two part time Lieutenant positions. The roll was called and Ordinance/Resolution No. 119-17 passed by the yeas of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and B. Lamb.

Res. 120-17

A Resolution authorizing an Application for Grant Assistance from the State of Ohio, Ohio Public Works Commission, relative to Issue 1 and LTIP Program Funding for the South Broadway Reconstruction Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 120-17, seconded by Mr. Simpson. Mr. Patton stated they are recommending South Broadway St. for a complete reconstruction of pavement, installation of new storm sewer, water lines and try to save as much of the sidewalks as possible. Grant application will ask for \$478,000. Mr. Lamb stated this is no decision on whether the street is brick or concrete but is hoping for the reconstruction to be in brick without necessitating financing from the property owners. The roll was called and Ordinance/Resolution No. 120-17 passed by the yeas of J. Shields, D. Simpson, J. Coyne, B. Hilberg, B. Lamb and P. Rose.

Res. 121-17

A Resolution donating fifteen Dell Computers to the Medina City Schools. Mr. Shields moved for the adoption of Ordinance/Resolution No. 121-17, seconded by Mr. Simpson. Mayor Hanwell

stated these are 15 computers that the City would normally send to auction, the schools can benefit another 4 to 5 years with them. The roll was called and Ordinance/Resolution No. 121-17 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, B. Lamb, and P. Rose. J. Shields abstained.

Res. 122-17

A Resolution establishing a Blanket Purchase Order Amount Limit as required by Ohio Revised Code 5705.41 (D)(3). Mr. Shields moved for the adoption of Ordinance/Resolution No. 122-17, seconded by Mr. Simpson. Mr. Dirham stated this originated with the audit, these limits already applied but the auditors would like them to be more explicitly applied to blanket purchase orders. The roll was called and Ordinance/Resolution No. 122-17 passed by the yea votes of J. Coyne, B. Hilberg, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 123-17

An Ordinance authorizing the Mayor to advertise for the auction, sale or disposal of City equipment and vehicles no longer in use. Mr. Shields moved for the adoption of Ordinance/Resolution No. 123-17, seconded by Mr. Simpson. Mr. Piccoli stated they have many items for the auction sale on Saturday, October 21st. The roll was called and Ordinance/Resolution No. 123-17 passed by the yea votes of B. Hilberg, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Res. 124-17

A Resolution extending the Intensive Supervision Probation Grant for the Medina Municipal Court through the fiscal year 2019. Mr. Shields moved for the adoption of Ordinance/Resolution No. 124-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 124-17, seconded by Mr. Simpson. Mayor Hanwell stated this is an annual grant for the Municipal Court to pay for their Intensive Supervision Probation Grant. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and B. Lamb. The roll was called and Ordinance/Resolution No. 124-17 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 125-17

An Ordinance authorizing the purchase of one (1) 2017 Ford F550 4 wheel drive Truck equipped with a utility bed from Montrose Ford for the Street Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 125-17, seconded by Mr. Simpson. Mr. Piccoli stated this truck if approved will replace a 1993 International utility sign truck used in the Streets Department. This 550 will serve as an all-purpose truck that will plow snow, pull asphalt trailer and so much more. We are requesting \$60,806. The roll was called and Ordinance/Resolution No. 125-17 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, B. Lamb and P. Rose.

Ord. 126-17

An Ordinance amending Section 31.02(B)(6) of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Intensive Supervision Probation employees for the Municipal Court. Mr. Shields moved for the adoption of Ordinance/Resolution No. 126-17, seconded by Mr.

Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 126-17, seconded by Mr. Simpson. Mayor Hanwell stated this amends the Salaries and Benefits Code relative to the positions that are funded through this grant as well as the hourly rates for those. The roll was called on adding the emergency clause and was approved by the yea votes of J. Coyne, B. Hilberg, B. Lamb, P. Rose, J. Shields, and D. Simpson. The roll was called and Ordinance/Resolution No. 126-17 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, B. Lamb, P. Rose, and J. Shields.

Ord. 127-17

An Ordinance amending the Pavilion Rental Fees for the Parks and Recreation Department.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 127-17, seconded by Mr. Simpson. Jansen stated this is to change the wording for the garbage removal from per day to per collection to better coordinate with event coordinators for the events we have up on the square. Mr. Lamb feels that the economic benefit outweighs changing the fees and he will vote against. The roll was called and Ordinance/Resolution No. 127-17 passed by the yea votes of B. Hilberg, P. Rose, J. Shields, D. Simpson, and J. Coyne. B. Lamb cast a nay vote.

Ord. 128-17

An Ordinance authorizing the Mayor to accept one (1) Easement necessary for the West Smith Bridge Replacement Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 128-17, seconded by Mr. Simpson. Mr. Patton states this easement relates to the West Smith Bridge. Patrick states ODOT is paying for the easement. Mr. Huber stated this is a result of eminent domain case, the property involves Chris Kalina. The roll was called and Ordinance/Resolution No. 128-17 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 129-17

An Ordinance amending Ordinance No. 91-17, passed June 12, 2017, relative to an amendment to the Fire Service Contract between the City of Medina and Medina Township.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 129-17, seconded by Mr. Simpson. Mayor Hanwell stated there are two minor changes to the previous contract with dates and changing that either party can terminate to 12 months. The roll was called and Ordinance/Resolution No. 129-17 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and B. Lamb.

Ord. 130-17

An Ordinance amending Sections 31.13(2)(C) and 31.16 of the Salaries and Benefits Code of the City of Medina, Ohio relative to Vacation and Group Hospitalization. Mr. Shields moved for the adoption of Ordinance/Resolution No. 130-17, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 130-17, seconded by Mr. Simpson. Mr. Dirham stated these were somethings left off when we made the Salaries and Benefits Code match to what the contracts are, and the emergency clause is needed because they are currently somewhat undefined. The roll was called on adding the emergency clause and was approved by the yea votes of D. Simpson, J. Coyne, B. Hilberg, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 130-17 passed by the yea votes of J. Shields,

D. Simpson, J. Coyne, B. Hilberg, B. Lamb and P. Rose.

Ord. 131-17

An Ordinance amending Ordinance No. 63-17, passed May 8, 2017 relative to the Job Creation Grant Agreement for Carlisle Brake & Friction, Inc. Mr. Shields moved for the adoption of Ordinance/Resolution No. 131-17, seconded by Mr. Simpson. Mrs. Marshall stated that after the agreement was signed, their attorney wanted verbiage in contract to include Friction Products Company, as they are a wholly owned subsidiary of Carlisle Brake & Friction and is the actual entity creating the jobs. The roll was called and Ordinance/Resolution No. 131-17 passed by the yea votes of J. Coyne, B. Hilberg, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 132-17

An Ordinance amending Sections 1127.04 and 1127.05 of the Planning and Zoning Code of the City of Medina, Ohio pertaining to Conditionally Permitted Uses in the R-4 District, and Lot Development Standards. Mr. Shields moved for the adoption of Ordinance/Resolution No. 132-17, seconded by Mr. Simpson. Mr. Huber stated the applicant requests that we amend our zoning code and add as a conditionally permitted use low rise residential storage unit. Planning Commission voted against the request. Six council members would have to vote to modify what the Planning Commission did, otherwise we don't meet the requirements of the code section. Mr. Rose stated the Planning Commission voted 0 – 5 nays. Mr. Rose does not feel this is something the residents want to see as they are first coming into the city. Mr. Lamb feels differently, he thinks if you look at the property and you look at other pieces of properties that are available where these kind of facilities can be built with the zoning change, it is extremely limited. When you look at the piece of property, and you look at the adjoining residential properties, it makes a lot of sense. There are commercial buildings on every entrance into the city. Mr. Simpson stated he is in support of this, he respects the Planning Commission's vote. He feels the 24 housing unit would have a bigger impact on the infrastructure. Mr. Mendel stated this zoning code change would basically be applied across the city. The roll was called and Ordinance/Resolution No. 132-17 failed by the nay votes of B. Hilberg, P. Rose and J. Coyne.

Ord. 133-17

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. 133-17, seconded by Mr. Simpson. Mr. Dirham stated these are amendments related to transfers for the Bicentennial. The roll was called and Ordinance/Resolution No. 133-17 passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and B. Hilberg.

Ord. 134-17

An Ordinance authorizing the Finance Director to make certain fund Advances. Mr. Shields moved for the adoption of Ordinance/Resolution No. 134-17, seconded by Mr. Simpson. Mr. Shields motioned to amend the ordinance from a fund transfer to a fund advance, seconded by Mr. Simpson. Mr. Dirham stated for this ordinance and the next, they were going to be transfers, we are amending them to advances. The purpose is if there is money left over at the end they could be repaid, they are to fund the Bicentennial celebration. The roll was called on the amendment and passed by the yea votes of J. Shields, D. Simpson, J. Coyne, B. Hilberg, B. Lamb and P. Rose.

Medina City Council
Sept. 11th, 2017

The roll was called and Ordinance/Resolution No. 134-17 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, B. Hilberg, and B. Lamb.

Ord. 135-17

An Ordinance authorizing the Finance Director to make certain fund Advances. Mr. Shields moved for the adoption of Ordinance/Resolution No. 135-17, seconded by Mr. Simpson. Mr. Shields motioned to amend the ordinance from a fund transfer to a fund advance, seconded by Mr. Simpson. The roll was called on the amendment and passed by the yea votes of J. Coyne, B. Hilberg, B. Lamb, P. Rose, J. Shields, and D. Simpson. The roll was called and Ordinance/Resolution No. 135-17 passed by the yea votes of D. Simpson, J. Coyne, B. Hilberg, B. Lamb, P. Rose, and J. Shields.

Council Comments:

Mr. Rose sends prayers and support to everyone that was in the path of the recent hurricanes and in commemoration of 911, may we never forget.

Mr. Lamb thanked Bob Hide for his extraordinary and invaluable help and information he gathered for the house tours on South Court. He brought history alive.

Adjournment:

There being no further business before Council, the meeting adjourned at 8:26 p.m.

Kathy Patton, CMC - Clerk of Council

John M. Coyne, President of Council

RESOLUTION NO. 136-17

**A RESOLUTION RECOGNIZING THE MONTH OF
SEPTEMBER AS NATIONAL PROSTATE CANCER
AWARENESS MONTH.**

WHEREAS: Men with relatives— father, brother, son — with a history of prostate cancer are twice as likely to develop the disease; and

WHEREAS: Veterans are 1.5 times more likely to get prostate cancer; and

WHEREAS: Prostate cancer is the most commonly diagnosed form of cancer in American Men and the third leading cause of cancer death behind lung and colon cancer; and

WHEREAS: This year approximately 161,360 men will be diagnosed with prostate cancer in the United States alone every year— that's one man every 3.3 minutes and roughly 26,730 will die this year from the disease— which is one man every 20 minutes; and

WHEREAS: 1 in 8 men are diagnosed with prostate cancer. African American men are at the highest risk for the disease with a rate of 1 in 6 men; African American men are 2.3 times more likely to die from the disease; and

WHEREAS: Education regarding prostate cancer and early detection strategies are critical to saving lives and preserving and protecting our families; and

WHEREAS: All men are at risk for prostate cancer and we encourage the citizens of Medina to increase the importance of prostate screenings.

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

SEC. 1: That Medina City Council hereby proclaims September as Prostate Cancer Awareness Month in the City of Medina and calls upon our citizens to join in a coordinated community effort to help spread awareness of the importance of prostate cancer screenings.

SEC. 2: That this Resolution shall be in full force and effect at the earliest period allowed by law.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 137-17**AN ORDINANCE AUTHORIZING THE AMENDED AGREEMENT WITH THE CITY OF BRUNSWICK FOR RECIPROCAL BACKUP CHIEF BUILDING OFFICIAL SERVICES, AND DECLARING AN EMERGENCY.**

WHEREAS: On or about September 11, 2012, the Cities entered into an Agreement for Reciprocal Backup Chief Building Official Services, which was authorized by Medina City Council pursuant to Ordinance No. 64-07 and by Brunswick City Council pursuant to Resolution No. 88-12; and

WHEREAS: Ord. 15-14, passed January 27, 2014, amended the Agreement between the cities; and

WHEREAS: That the Cities desire to amend the Agreement again, as provided herein.

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

- SEC. 1:** That the amendment to the Agreement with the City of Brunswick for Reciprocal Backup Chief Building Official Services is hereby authorized and accepted.
- SEC. 2:** That a copy of the amended Agreement is marked Exhibit A, attached hereto, and incorporated herein.
- SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 4:** That this Ordinance shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that the current agreement is expiring; 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 137-17
Exh. A

AGREEMENT FOR RECIPROCAL BACKUP CHIEF BUILDING OFFICIAL SERVICES

This Agreement, by and between the **CITY OF MEDINA**, located at 132 North Elmwood Avenue, Medina, Ohio 44256, and the **CITY OF BRUNSWICK**, located at 4095 Center Road, Brunswick, Ohio 44212 (collectively the "Cities").

WHEREAS, the Building Departments of the Cities are certified building departments pursuant to the rules and regulations for certification promulgated by the Ohio Board of Building Standards; and

WHEREAS, the Cities have and will continue to have in their employ full-time personnel meeting the specific requirements of the Board of Building Standards so as to enforce the provisions of the Ohio Building Code; and

WHEREAS, the Cities are desirous of contracting with the other for the purpose of having the Chief Building Official of each respective City act as "backup personnel" to the other City as required by Ohio Administrative Code Rule 4101:1-1-03 Section 103.2.6. The Brunswick Chief Building Official would act as backup personnel in place of the Chief Medina City Building Official in the event that the Chief Medina City Building Official cannot act as a result of a conflict of interest or other event resulting in the unavailability of the Chief Medina City Building Official and vice versa; and

WHEREAS, by and through Ordinance No. _____ the Council of the City of Medina authorized the Mayor to enter into this Agreement with the City of Brunswick; and

WHEREAS, by and through Resolution No. _____ the Council of the City of Brunswick authorized the City Manager/Safety Director to enter into this Agreement with the City of Medina.

NOW, THEREFORE, in consideration of these premises and the mutual covenants hereinafter set forth, it is agreed as follows:

SECTION I - SCOPE OF SERVICES

Upon the written request of the Chief Building Official of a City hereto, the other City agrees to make available its Chief Building Official who will provide the requesting City professional services as a certified building official in the event that the Chief Building Official of the requesting City is unable to serve as a result of a conflict of interest or other event that results in unavailability. In this manner, the Chief Building Official will serve as backup personnel as required by Ohio Administrative Code Rule 4101:1-1-03 Section 103.2.6. Upon being asked to serve as a backup building official, the Chief Building Official will have authority to interpret and require compliance with the Ohio Building Code and each respective City's applicable Codified Ordinances in connection with duties that are undertaken as a backup building official.

SECTION II - TERM OF AGREEMENT

The term of this Agreement shall commence on the date of execution of this Agreement, and shall continue until terminated by either party hereto.

SECTION III - PAYMENT

The Cities agree to provide the services of their respective Chief Building Official pursuant to this Agreement free of charge, with the exception of services provided for a period of time in excess of three (3) consecutive weeks. If the services provided exceed three (3) consecutive weeks, each City agrees to reimburse the City providing such services at a rate of 1.5 times the hourly rate for the official for actual time providing such services, which shall include one-half (½) hour drive time for each day servicing the other City. The City providing the service will invoice the City receiving the service every two (2) weeks for hours and days that services were provided, which shall be paid within ten (10) days of receipt thereof.

SECTION IV - AGENCY

It is expressly understood and agreed that in the performance of services pursuant to this Agreement, the Chief Building Official shall act as an agent of the requesting City. However, in every other respect, the Chief Building Official will be an independent contractor and neither party shall be deemed a servant, employee, or representative of the other.

SECTION V - PLANS AND DOCUMENTS

All applications, construction documents, reports, design notes, inspection records, and all other documents submitted to or prepared by either City, its employees, and the Chief Building Official, which are in the possession of the Chief Building Official, shall be and remain public records of each respective City and shall be furnished or returned to the appropriate City's Building Department immediately upon request.

SECTION VI - TERMINATION

Either party may terminate this Agreement at any time and for any reason upon written notice to the other thirty (30) days from the date upon which written notice of termination is given. Termination under this section shall not give rise to any claims by one party as against the other.

SECTION VII - ASSIGNMENT

The parties hereto agree that they shall not assign, transfer, convey, pledge, sublet, or otherwise dispose of this Agreement without the prior written consent of the parties hereto.

SECTION VIII - TIME OF PERFORMANCE

The work to be performed pursuant to the terms of this Agreement shall commence promptly and shall be pursued diligently and completed promptly and within the time parameters established for the performance of such work according to applicable provisions of the Ohio Building Code. Time is of the essence in the performance of all phases of this Agreement.

SECTION IX - INSURANCE

The Chief Building Official, in the performance of his/her duties pursuant to this Agreement, shall be insured by the requesting City's Comprehensive General Liability coverage and Professional Liability Insurance. All required insurances shall be maintained with responsible insurance carriers qualified to do business in the State of Ohio and approved by the State Superintendent of Insurance.

SECTION X -AMENDMENTS

Amendments, modifications, or changes to this Agreement shall not be effective unless in writing and approved by both parties to this Agreement.

SECTION XI -NOTICES

Except as otherwise provided herein, any notice, approval, acceptance, request, demand, or statement hereunder from either party to the other shall be in writing, and shall be deemed to have been given when either delivered personally or deposited in a U. S. mailbox in a postage prepaid envelope addressed to the other party. Either party may, at any time, change such address by delivering or mailing as aforesaid to the other party a notice stating the change and the changed address.

SECTION XII - CONFLICT OF INTEREST

The Chief Building Officials of the Cities covenants that they have no interest nor shall they acquire any interest, directly or indirectly, which will conflict in any manner or degree with the performance of this Agreement.

SECTION XIII - DISCRIMINATION PROHIBITED

In performing the services required under this Agreement, the Chief Building Officials shall not discriminate against any person on the basis of gender, race, color, religion, national origin or ancestry, age, or physical handicap.

SECTION XIV - EXTENT OF AGREEMENT

This Agreement represents the entire and integrated Agreement between the City of Medina and the City of Brunswick that supersedes any and all prior negotiations, representations, or agreements, either written or oral. It shall not be changed, amended, or modified without the prior written approval of both parties hereto.

SECTION XV - EFFECTIVE AND BINDING

This Agreement shall not become effective or binding upon the City of Medina unless and until Medina City Council shall have authorized the Mayor to execute the same. This agreement shall not become effective and binding upon the City of Brunswick until the Brunswick City Council shall have authorized the City Manager/Safety Director to execute same.

SECTION XVI - CAPTIONS AND HEADNOTES

The captions or headnotes on articles or sections of this Agreement, and marginal notes are intended for convenience and reference purposes only and in no way define, limit, or describe the scope or intent thereof, or of this Agreement, nor in any way affect the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement for Reciprocal Backup Chief Building Official Services as of the dates indicated below.

CITY OF BRUNSWICK

CITY OF MEDINA

Carl S. DeForest, City Manager

Dennis Hanwell, Mayor

Date: _____

Date: _____

Approved as to form:

Approved as to form:

Kenneth J. Fisher, Law Director

Gregory A. Huber, Law Director

ORDINANCE NO. 138-17

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

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

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

<u>Account No./Line Item</u>	<u>Additions</u>
001-0743-52215 (Holiday Lights – Public Buildings)	7,000.00 *
001-0707-53311 (Refund)	630.00 *
301-0720-54412 (Donation – Engine House)	5,000.00 *
301-0381-52215 (Paver Sales – Bicentennial)	4,250.00 *

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

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

* - new appropriation

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 139-17

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A REVOCABLE USE PERMIT TO USE OR OCCUPY A PART OF THE CITY RIGHT-OF-WAY WITH A DECORATIVE BLOCK LANDSCAPING WALL LOCATED AT 260 S. COURT STREET.

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

SEC. 1: That the Mayor is hereby authorized to execute a Revocable Use Permit to use or occupy part of the City Right-of-Way with a decorative block landscaping wall which is located at 260 S. Court Street (Medina City Lot #43; PPN 028-19B-20-104).

SEC. 2: That a copy of the Revocable Use Permit is marked Exhibit A, attached hereto and incorporated herein.

SEC. 3: That the Clerk of Council is hereby directed to file the Revocable Use Permit with the Medina County Recorder.

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

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

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

City of Medina Ord. # 139-17

Exh. A

REVOCABLE USE PERMIT

**CITY OF MEDINA
MEDINA COUNTY, OHIO**

**260 S. Court Street
Medina City Lot Number 43
Permanent Parcel Number 028-19B-20-104**

Under the provisions of Section §§ 5515.01 of the Ohio Revised Code, permission is hereby granted to use or occupy a part of the Right-of-Way of South Court Street with a decorative block landscaping wall which is located at 260 S. Court Street (MCL #43; PPN 028-19B-20-104).

A legal description and a picture of the encroachment are shown on the attached sheets (Appendix A and B, respectively).

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

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

No alterations may be made to the encroachments except that the permittee may perform such routine maintenance as is required to keep the encroachment in good condition. If the encroachments are removed or destroyed, no new facilities shall be permitted to encroach on Medina Street right-of-way without the express, written consent of the CITY OF MEDINA. The encroachments for which this permit is issued shall be subject to all permits required by the CITY OF MEDINA. A photograph of the existing encroachments is attached to and incorporated into this permit.

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

CITY OF MEDINA
Law Director
132 N. Elmwood Ave.
P.O. Box 703
Medina, Ohio 44258

Dated at Medina, Ohio _____ day of _____, 2017

CITY OF MEDINA

By: _____
DENNIS HANWELL, Mayor

STATE OF OHIO)
)ss:
COUNTY OF MEDINA)

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

IN TESTIMONY WHEREOF, I have set my hand and official seal this _____ day of _____, 2017, at Medina, Ohio.

NOTARY PUBLIC

My commission expires _____

Accepted this _____ day of _____, 2017

By: _____
PROPERTY OWNER

STATE OF OHIO)
)ss:
COUNTY OF MEDINA)

BEFORE ME, a Notary of Public in and for said County and State, personally appeared the above named, by _____, who executed the foregoing instrument in my presence and acknowledged the same to the voluntary act of said City and her voluntary act individually and as such officer.

IN TESTIMONY WHEREOF, I have set my hand and official seal this _____ day of _____, 2017, at Medina, Ohio.

NOTARY PUBLIC

My commission expires _____

Prepared by:
Gregory Huber
Law Director
City of Medina

APPENDIX A
Legal Description
Revocable User Permit
260 S. Court St.
Medina, OH
PPN 028-19B-20-104

Situated in the City of Medina, County of Medina, State of Ohio, and beginning at the southwest corner of PPN 028-19B-20-104 (Medina City Lot #43), thence continuing North 00° 00' 00" East along the Right-of-Way of South Court Street a distance of 25 feet, to a point, the point being the Principal Place of Beginning of the Revocable User Permit area;

Thence continuing along the Right-of-Way of said South Court Street, North 00° 00' 00" East a distance of 30.00 feet to a point;

Thence continuing North 90° 00' 00" West a distance of 3 feet to a point;

Thence continuing South 00° 00' 00" East a distance of 30.00 feet to a point;

Thence continuing South 90° 00' 00" East a distance of 3.00 feet to feet to the Principal Place of Beginning of the Revocable Use Permit area herein described, containing 0.0021 acres of land (90 square feet), 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.

APPENDIX B
260 S. COURT ST.
MEDINA, OH
PPN 028-19B-20-104



ORDINANCE NO. 140-17

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT NO. 9 TO THE AGREEMENT WITH DELTA AIRPORT CONSULTANTS, INC. FOR MODIFICATION OF PROJECT PLANS AND SPECIFICATIONS AND RE-BIDDING FOR THE NORTH-SOUTH TAXIWAY RECONSTRUCTION PROJECT AT THE MEDINA MUNICIPAL AIRPORT, AND DECLARING AN EMERGENCY.

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

- SEC. 1:** That the Mayor is hereby authorized and directed to enter into Amendment No. 9 to the Agreement with Delta Airport Consultants, Inc. to authorize modification of the project plans and specifications for City Job #1015 in order to reduce the scope of the project to better accommodate the funds available in the ODOT grant for the North-South Taxiway Reconstruction at Medina Municipal Airport.
- SEC. 2:** That that a copy of Amendment No. 9 is marked Exhibit A, attached hereto and incorporated herein.
- 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 the funds to cover this amendment, in the estimated amount of \$10,000.00 are available in Account No. 547-0670-54411.
- 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: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

AMENDMENT NO. NINE (9)

PROFESSIONAL SERVICES AGREEMENT

Ord. 140-17
Exh. A

PROJECT: North-South Taxiway Reconstruction
(Rebidding Phase Services)

DELTA PROJECT NO: 15108

DATE OF ISSUANCE: August 25, 2017

ATTACHMENTS: "9-1" Task Narrative
"9-2" Fee Summary

METHOD OF PAYMENT: Lump Sum

AMOUNT: \$10,000 (Article 7.13)

CONTRACT TIME: Rebidding Phase Services — 30 Calendar Days (Article 6.9)

PROJECT DESCRIPTION: See Attachment "9-1"

The original Agreement for Professional Engineering Services between the City of Medina (SPONSOR) and Delta Airport Consultants, Inc., (CONSULTANT) for Professional Services at the Medina Municipal Airport dated July 15, 2008, shall govern all AMENDMENTS executed under this Agreement unless modified in writing and agreed to by CONSULTANT and SPONSOR.

ACCEPTED:

by _____

David W. Jones, P.E., C.M.
Vice President

CONSULTANT
Delta Airport Consultants, Inc.
20545 Center Ridge Road #450
Cleveland, OH 44116

APPROVED:

by _____

Dennis Hanwell
Mayor

SPONSOR
City of Medina
132 N. Elmwood Ave.
Medina, OH 44256

ATTACHMENT "9-1"

TASK NARRATIVE

This project at the Medina Municipal Airport, Medina, Ohio is to provide rebidding phase services for the North-South Taxiway Reconstruction project. The project is to include the following project elements:

- Rehabilitate a portion of the existing North-South Taxiway south of Runway 9-27 (approximately 1,336 feet)
- Remove the Mid-Runway 1-19 connector Taxiway.

Rebidding Phase Services are to include:

1. Reissue existing as-bid drawings and specifications per the above project elements.
2. Provide up to ten (10) hard copies of sealed plans, specifications, and bid proposal documents for rebidding of the project.
3. Make available to prospective bidders PDF files of the sealed plans, specifications, and bid proposal documents for rebidding of the project through the Delta Airport Consultants, Inc. website project bidding portal.
4. Provide limited rebidding phase services; limited to bid document distribution, advertisement preparation, attend a single pre-bid meeting, distribute bidder questions and answers, prepare bid tabulation and coordinate award of the project.
5. Review Agency Coordination: Assist the Owner and provide technical information for project award coordination with the FAA, ODOT Office of Aviation and other governmental review and funding agencies.

Items excluded from the scope of work but may be included under a separate Amendment include:

6. If required by FAA, revise existing and resubmit FAA Form 7460-1 "Notice of Proposed Construction" for coordination, review and approval by the FAA. The submittal is to be for the project improvements related to the construction of this project.
7. If required by FAA, revise existing and resubmit Construction Safety Phasing Plan (CSPP) and report document per FAA guidelines for coordination, review and approval by the FAA. The submittal is to be for the project improvements related to the construction of this project.
8. Review existing design, as-bid plans, and specifications related to the original bid unit prices that were considerably out of line with the Engineer's Opinion of

Probable Construction Cost to see if any revisions in design or how items are paid could help improve project construction efficiency resulting in an overall construction project cost savings and/or simply more reasonable and competitive bids.

9. Publishing of bid advertisement in media other than the Delta Airport Consultant, Inc. website project bidding portal. Rebid advertisement costs are not included and shall be incurred by the Sponsor.
10. Attend bid opening.
11. Construction Administration Services are not included in this scope of work but will be included under a separate Amendment.

END TASK NARRATIVE

ATTACHMENT 9-2
FEE SUMMARY

Rebidding Phase Services

Project Title: North-South Taxiway Reconstruction
 Airport Name: Medina Municipal Airport (1G5)
 Airport Location: Medina, Ohio

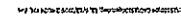
Delta Airport Consultants, Inc.

AIP Project No. 4-2016 (design & bidding)
 State Project No. 16-12 (construction)
 Delta Project No. 15108

Date: August 25, 2017

Delta Costs - Design & Bidding		
Basic Services		
Schematic Design Phase (SD)		Not Included
Design Development Phase (DD)		Not Included
Construction Document Phase (CD)		\$4,770
Bidding Phase Services (BD)		\$5,230
	Subtotal:	\$10,000
Special Services		
Project Administration		Not Included
	Subtotal:	\$0
Design Lump Sum:		\$10,000

TOTAL:	\$10,000
--------	----------





August 25, 2017

Mr. Greg Huber
City of Medina
P.O. Box 703
Medina, Ohio 44258-0703

Subject: Amendment No. 9
North-South Taxiway Reconstruction Project Rebid
Rebidding Phase (BD) Services
Medina Municipal Airport
AIP Project No.: 3-39-0049-014-2016 (Design and Bidding only)
ODOT Office of Aviation Project No.: 16-12 (Construction)
Delta Project No. 15108

Dear Mr. Huber:

Please find enclosed two (2) originals of proposed Amendment No. 9 between the City of Medina, Ohio and Delta Airport Consultants, Inc. to provide rebidding phase services for the referenced project at the Medina Municipal Airport.

As you are aware, the City of Medina received a reimbursement grant from the FAA for the design and bidding of this project in 2016, and received a construction and construction administration services grant from the ODOT Office of Aviation in 2016. The project was bid in 2016, however, the lowest responsive and responsible bid received exceeded the Ohio Revised Code (ORC) section 153.12, paragraph (A), 10% above limit of the Engineer's Estimate. We reviewed the 2016 bids with the City and the City Engineer, Mr. Patrick Patton, and it was recommended by Mr. Patton and agreed by Delta that the project should be rebid in 2017. The project was rebid in June 2017 and though the bids came in within the 10% limit of the Engineer's Estimate, the cost to complete the project as-bid exceeded the available dollars in the ODOT Office of Aviation Grant. It was then recommended by the City of Medina, that the scope of the project be reduced to better accommodate the dollars available in the ODOT Office of Aviation Grant.

This Amendment No. 9 is to reduce the scope of the referenced project to better accommodate the dollars available in the ODOT Office of Aviation Grant and provide rebidding phase services for the project in calendar year 2017. A detailed Task Narrative is attached to the Amendment No. 9 proposal.

If the Amendment No. 9 is acceptable, please sign each original, keep one (1) for your files and return one (1) for our files.

We appreciate this opportunity to serve the City of Medina and the Medina Municipal Airport. If you have any questions, comments or need any clarifications, please do not hesitate to contact me anytime.

Sincerely,

Steven A. Potoczak
Project Manager
SAP: clc

Enclosure: Amendment No. 9 – 2 originals
CC: P. Patton – City of Medina
Delta - RIC

20545 CENTER RIDGE ROAD, SUITE 450, CLEVELAND, OH 44116

P. (440) 895-0465 F. (440) 895-0466 WWW.DELTAAIRPORT.COM

RESOLUTION NO. 141-17**A RESOLUTION SUPPORTING AND ACCEPTING THE FRIENDS OF THE CEMETERY'S SPRING GROVE CEMETERY MATERIAL STORAGE SHED PROJECT.**

WHEREAS: The Friends of the Cemetery (the "Friends"), an Ohio not for profit corporation, is interested in the preservation and enhancement of Spring Grove Cemetery; and

WHEREAS: The Friends have determined that the existing spoil pile area, adjacent from the maintenance garage is in need of being covered and they have graciously offered to take on this project and would like the City to accept this building as a gift upon completion; and

WHEREAS: The anticipated cost of the project is approximately \$35,000.00 inclusive of architectural fees; and

WHEREAS: The Friends have engaged the architectural firm of Architectural Design Studios, Inc. to examine the site conditions and prepare drawings, specifications, and cost estimates for the project, all in accordance with the planning and building codes of the City of Medina, Ohio; and

WHEREAS: The Friends have the capital resources necessary to complete this work; and

WHEREAS: The Friends wishes to authorize Architectural Design Studios, Inc. to proceed with bidding the work, and further wishes to enter into a contract with a general contractor to perform the specified work, with all contracted work to be paid for by the Friends as a gift to the City of Medina; and

WHEREAS: The Friends desires that the City of Medina review and approve the project and accept the completed work as a gift from the Friends; and

WHEREAS: ^{*The Planning Commission*} The Cemetery Commission, and the Finance Committee have reviewed the proposal and have recommended the support and acceptance of this gift from the Friends.

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

SEC. 1: That the City of Medina hereby supports and accepts Friends of the Cemetery's gift to the City to complete the Material Storage Shed Project in accordance with the attached proposal from Architectural Design Studios, Inc. which is marked Exhibit A, attached hereto and incorporated herein.

SEC. 2: 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. 3: That this Resolution 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

MATERIAL STORAGE SHED
SPRING GROVE CEMETERY
775/785 EAST WASHINGTON STREET
MEDINA, OHIO 44256



Architecture
Preservation
Graphics
Planning
Interior Design

620 E. Smith Road
Medina, Ohio 44256
330 □ 723 □ 6975



MATERIAL STORAGE SHED
775/785 E. WASHINGTON ST
MEDINA, OHIO 444256
JOB #17014

LOCATION MAP

NORTH

NO SCALE



OBC DESIGN CONDITIONS

Urban Group	29. Community, Improved
Location	Mid-periphery, on the outskirts of a secondary building for workers' dwellings, with a small commercial centre and a post office station.
Scale of Urban	will be transformed into a self-sufficient satellite village.
Building area	1,000 m ²
Building height	1 story (4.27' floor height)
Fire suppression	None required
Occupancy	0

SYMBOLS

[illegible]

DRAWING INDEX

[illegible]

ABBREVIATIONS

[illegible]

DOCUMENT CERTIFICATION

OFC 3781042 & OFC SECTION 104211

ORC 3781.042 & OBC SECTION 104.2111
I do hereby certify the drawings for this project, generally submitted as of the date noted are in full compliance with the Ohio Building Code (OBC) of November 2001 and Chapters 3781 & 3782 of the Ohio Revised Code (ORC). This certification is in conformity with Section 3781.042 of the Ohio Revised Code effective September 24, 2004.

COPYRIGHT 2017

These drawings are the exclusive property of Architectural Drafting Studio. Unauthorised reproduction of the documents or design is prohibited under Federal Copyright Law.

The design and construction documents for this project are not and will remain the sole property of Architectural Drafting Studio and the original signature of the architect, Anthony J. Cerny, State of Ohio License # 7828.

STATE OF OHIO
ANTHONY J. CERNY, LICENSE #7828
10000 COLUMBUS, OHIO 43024

EXPIRATION DATE 12/31/2017

Anthony J. Ferry

Cole



**RESOLUTION
OF THE
FRIENDS OF THE CEMETERY**

WHEREAS, the Friends of the Cemetery (the "Friends"), an, Ohio not for profit corporation with offices in Medina, Ohio, are interested in the preservation and enhancement of Spring Grove Cemetery, owned and operated by the City of Medina, Ohio, and

WHEREAS, the Friends have determined that the existing spoil piles located next to the City's maintenance building at the Spring Grove Cemetery grounds are in need of coverage; including but not limited to a pole building opened to the west with reinforced poles and anchoring with vents to allow wind to proceed through to be approximately 44' in width, 14' in height at the back and 20' high at the front to accommodate dump trucks and exterior finish to match existing maintenance building, all anticipated to cost approximately \$35,000 inclusive of architectural fees, and

WHEREAS, THE Friends have engaged the architectural firm of Architectural Design Studios, Inc., of Medina, Ohio, to examine and prepare drawings, specifications and cost estimates for the spoil coverage pole building, all in accordance with the planning and building codes of the City of Medina, Ohio, and

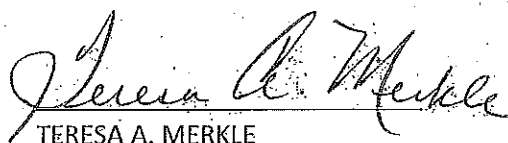
WHEREAS, the Friends have the capital resources necessary to complete this work, and

WHEREAS, the Friends wish to proceed with bidding the work, and enter into a contract with a general contractor to perform the specified work, with all work to be paid for by the Friends as a gift to the City of Medina, and

WHEREAS, the Friends desire that the City of Medina review and approve this project, and accept the completed work as a gift from the Friends;

NOW, THEREFORE, be it resolved by the Friends of the Cemetery that this Resolution be submitted to the City of Medina, Ohio for its consideration and action.

RESOLVED, this 19th day of August, 2017.



TERESA A. MERKLE

President - Trustee

Friends of the Cemetery



JERRY GUNNER

Trustee

RESOLUTION NO. 142-17**A RESOLUTION IN SUPPORT OF THE OHIO
DEPARTMENT OF TRANSPORTATION'S SPEED
EVALUATION STUDY FOR STATE ROUTE 18.**

WHEREAS: The Ohio Department of Transportation is currently preparing plans for improvements to State Route 18 (ODOT Project MED-18-12.99 (PID 92953)), and that as part of that project development, the establishment of legal speed limits is required for the entire length of the project including that portion of the project within the City of Medina (from Alber Drive to the City's eastern boundary); and

WHEREAS: The Ohio Department of Transportation has reviewed sections of State Route 18 within the city corporation limits that currently have posted speed limits that are not journalized and do not meet the prima facie speed limit set forth in the Ohio Revised Code. Therefore, the existing 35 mph speed limit and part of the existing 25 mph speed limit are not legal due to lacking journalization. The roadway was studied and evaluated for compliance with the Ohio Revised Code (§4511.21); and

WHEREAS: In addition to the sections of State Route 18 that are in the project, the Ohio Department of Transportation State Route 18 Speed Zone Study also recommends that sections of State Route 18 from South Jefferson Street to South Spring Grove Street also appears to be improperly signed at 25mph. This section meets the prima-facie speed limit of 35 mph (§4511.21.B.3). It is recommended that the city rectify this by accepting the prima-facie speed limit and signing the road appropriately.

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

SEC. 1: That the City hereby concurs in the findings of the State Route 18 Medina Speed zone Study completed by the Ohio Department of Transportation as set forth in the attached, marked Exhibit A and incorporated herein, and commits to enforcement of the guidelines set forth therein pursuant to Ohio Revised Code §4511.21 (I)(1).

SEC. 2: The City of Medina will install the necessary regulatory signage reflecting the findings of the State Route 18 Medina Speed Zone Study

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.

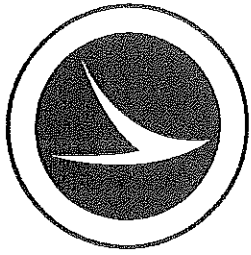
PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor



ORD 142-17
EKH.A

OHIO DEPARTMENT OF TRANSPORTATION
John R. Kasich, Governor

Jerry Wray, Director

District 3
906 Clark Ave., Ashland, OH 44805
419-281-0513
transportation.ohio.gov

June 14, 2017

Patrick Patton
City of Medina, City Engineer
132 North Elmwood Avenue
Medina, Ohio 44256

MEDINA 18 SPEED ZONES

Mr. Patton,

The establishment of legal speed limits is required for the MED-18-12.99 (PID 92953) project from Alber Drive to Nettleton Road. The Ohio Department of Transportation has reviewed sections of State Route 18 within the city corporation limits that currently have posted speed limits that are not journalized and do not meet the prima facie speed limit set forth in the Ohio Revised Code. Therefore, the existing 35mph speed limit and part of the existing 25mph speed limit are not legal.

The roadway was studied and evaluated for compliance with the Ohio Revised Code (§4511.21). Details on this study can be found attached. Currently, the section of SR 18 from South Spring Grove Street to a point 0.28 miles east of South Spring Grove Street is signed as 25mph and the section from a point .28 miles east of South Spring Grove Street to a point 0.21 miles west of Foote Road is signed at 35mph. Based on the results of our speed zone study, a 35mph speed limit is warranted from South Spring Grove Street to a point 0.21 miles west of Foote Road. Acceptance of this speed zone would establish a legal speed limit of 35 MPH. A majority of this segment is currently signed at 35 MPH. The city would be responsible for signing State Route 18 adjacent to Spring Grove Cemetery at 35 MPH, currently posted at 25 MPH. The establishment of legal speed limits needs to be completed for the Medina 18 Widening project to proceed.

State Route 18 from South Jefferson Street to South Spring Grove Street also appears to be improperly signed at 25 MPH. This section meets the prima-facie speed limit of 35 MPH (§4511.21.B.3). It is recommended that the city rectify this by either accepting the prima-facie speed limit and signing the road appropriately or performing a speed zone study to establish a more appropriate speed limit if deemed necessary.

If there are any questions or concerns that you may have, you are free to contact me through my phone number at (419)207-7167 or my email at Anthony.DePrator@dot.ohio.gov to discuss the matter further.

Respectfully,

Anthony DePrator, EIT, MSCE
Transportation Engineer

JAC:AJD:ad

cc: Julie Cichello
Jared Feller
Christopher Brown
The Honorable Mayor Dennis Hanwell
Location File



Ohio Department of Transportation

SPEED ZONE EVALUATION SHEET

FOR NON-FREEWAY and NON-EXPRESSWAY HIGHWAYS



TEM FORM 1296-2

COMPLETE ALL GREEN SHADED AREAS

ROUTE NAME:	East Washington Street	ROUTE NUMBER:	18	COUNTY:	Medina
BEGIN STUDY AT:	S Spring Grove	BEGIN LOGPOINT:	12.31	TOWNSHIP:	Medina
END STUDY AT:	.21 mi. west of Foote Rd	END LOGPOINT:	13.33	MUNICIPALITY:	Medina
AVERAGE DAILY TRAFFIC (ADT):	15078	EXISTING SPEED LIMIT (MPH):	50	DIVIDED HIGHWAY:	No
				JURISDICTION:	Medina

For further guidance in completing this form, see the Traffic Engineering Manual, section 1203.

No. of Houses or Farms	(Hold Cursor Here for More Info)	22	Must have direct access to the roadway being studied.
No. of Small Businesses, Apts./Condos	(Hold Cursor Here for More Info)	8	Must have direct access to the roadway being studied.
No. of Medium Businesses, Apts./Condos	(Hold Cursor Here for More Info)	1	Must have direct access to the roadway being studied.
No. of Major Businesses, Apts./Condos	(Hold Cursor Here for More Info)	0	Must have direct access to the roadway being studied.
No. of Minor Street Intersections	(Hold Cursor Here for More Info)	2	Subdivision, Residential, or Other streets that mainly serve the residents of that street.
No. of Major Street Intersections	(Hold Cursor Here for More Info)	0	Streets which serve both the residents and commuters of the area.
No. of Signalized Intersections	(Hold Cursor Here for More Info)	4	Do not include intersections at the beginning or end of the section.
No. of Interchange Ramps	(Hold Cursor Here for More Info)	0	Do not include Loop ramps at the beginning or end of the section.
Lane Width	(Round down to nearest foot)	12	Average lane width of through traffic lanes.
Shoulder Width	(Round down to nearest foot)	4	General width of paved and/or non-paved shoulder throughout the section.
Crashes	(Latest three years of data)	19	Only include crashes within the section, excluding animal and side street crashes.
85 th tile Speed of Traffic		34	Average of the 85 th speed at all locations where speed samples were taken.
10-mph Pace Speed of Traffic	27.5 to	36.5	Average of the Pace speed at all locations where speed samples were taken.
Roadway Characteristics		B2	

To View CALCULATION SHEET or Examples of ROADWAY CHARACTERISTICS and CRASHES TO INCLUDE, click on Buttons →

CALCULATED SPEED: 39 MPH REQUESTED SPEED: 25 MPH

Additional considerations and comments:
Speed Limit is 25 and 35 MPH

STUDY BY: Anthony DePrator

DATE: June 13, 2017

CHECKED BY: Anthony DePrator

TEST RUN SPEED: 40 MPH APPROVED SPEED: 35 MPH

BELOW FOR ODOT USE ONLY

Click Here to Return to 'Full Study Warrant Form' (Data Input Page)

OHIO DEPARTMENT OF TRANSPORTATION

CALCULATION SHEET

FOR NON-FREEWAY and NON-EXPRESSWAY HIGHWAYS

LOCATION

Road Name:	East Washington Street	Road Number:	18	County:	Medina
Begin Study At:	S Spring Grove	Begin Log Point:	12.31	Jurisdiction:	Medina
End Study At:	.21 mi. west of Foote Rd	End Log Point:	13.33	Existing Speed Limit:	50
Average Daily Traffic:	15078	Length:	1.02	Divided Highway:	No

HIGHWAY DEVELOPMENT

(A) BUILDING DEVELOPMENT				INTERSECTION INVOLVEMENT (B)			
Houses or Farms	22	X 1 =	22	Minor Street Intersections	2	X 2 =	4
Small Business	8	X 2 =	16	Major Street Intersections	0	X 3 =	0
Medium Business	1	X 3 =	3	Signalized Intersections	4	X 4 =	16
Major Business	0	X 4 =	0	Interchange Ramps	0	X 1 =	0
TOTAL TYPE (A)				TOTAL CLASS (B)			
41				20			

TOTAL HIGHWAY DEVELOPMENT: $\frac{(A) \ 41}{\text{Length} \ 1.02 \text{ miles}} + (B) \ 20 = 59.8$

ROADWAY FEATURES

CRITERIA		FACTORS							
		7	8	9	10	11	12	13	TOTAL
Lane Width (feet)	12		<8'	8' to <9'	9' to <10'	10' to <11'	11' to <12'	>=12'	13
Shoulder Width (feet)	4			<2'	2' to <4'	4' to <6'	6' to <8'	>=8'	11
Crash Rate (Crashes/MVM)	1.13	>6.2	>5.1 - 6.2	>4.0 - 5.1	>3.4 - 4.0	>2.8 - 3.4	>2.2 - 2.8	<= 2.2	13

TOTAL ROADWAY FEATURES: 37

CRASH RATE (Crashes/MVM): $\frac{19 \text{ Crashes} \times 1,000,000}{15078 \text{ ADT} \times 365 \text{ YR} \times 1.02 \text{ miles}} = 1.13$

SPEED CALCULATION

CRITERIA		FACTORS								
		25	30	35	40	45	50	55	60	TOTAL
Highway Development	59.8	>70	>60 - 70	>50 - 60	>40 - 50	>30 - 40	>20 - 30	>10 - 20	>5 - 10	35
Roadway Features	37	24	25	26 - 28	29 - 31	32 - 33	34 - 35	36 - 37	38	55
85 th Percentile (mph)	34	<27	28 - 32	33 - 37	38 - 42	43 - 47	48 - 52	53 - 57	58 - 62	35
Pace Speed	27.5	36.5	13 - 27	18 - 32	23 - 37	28 - 42	33 - 47	38 - 52	43 - 57	35
Characteristics	B2	C	B3	B2	B1	A3	A2	A1	DIV	35

TOTAL SPEED FACTORS: 195

CALCULATED SPEED: $\frac{\text{Total Speed Factors} \ 195}{\text{No. of Speed Criteria} \ 5} = 39 \text{ MPH}$

REQUESTED SPEED : 25 MPH

Additional considerations and comments:

Speed Limit is 25 and 35 MPH

STUDY BY: Anthony DePrator

DATE: June 13, 2017

BELOW FOR ODOT USE ONLY

CHECKED BY: Anthony DePrator TEST RUN SPEED: 40 MPH APPROVED SPEED: 35 MPH