

**MAYOR DENNIS HANWELL – STATE OF THE CITY ADDRESS
6:30 PM – IN THE CITY COUNCIL ROTUNDA**

**CITY OF MEDINA
AGENDA FOR COUNCIL MEETING**

Monday, September 8, 2025
Medina City Hall – Council Rotunda
7:30 p.m.

Call to Order.

Roll Call.

Reading of minutes. (August 25, 2025)

Reports of standing committees.

Requests for council action.

Reports of municipal officers.

Confirmation of Mayor's appointment.

Beth Girman – Archive Commission (replacing Bob Thompson) – Exp. 12/31/28
Nino Piccoli – Airport Commission (replacing Brian Guccion) – Exp. 12/31/27

Notices, communications and petitions.

Unfinished business.

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

Introduction and consideration of ordinances and resolutions.

Motion to suspend the Rules requiring three readings on the following ordinances and resolutions: Ord. 142-25, Ord. 143-25, Res. 144-25, Ord. 145-25, Res. 146-25, Ord. 147-25, Ord. 148-25, Ord. 149-25, Ord. 150-25, Ord. 151-25, Ord. 152-25

Ord. 142-25

An Ordinance adopting the City of Medina Community Development Block Grant Program Citizen Participation Plan.

(emergency clause requested)

Ord. 143-25

An Ordinance adopting a Residential Anti-Displacement and Relocation Assistance Plan for the City of Medina.

(emergency clause requested)

Res. 144-25

A Resolution accepting the grant award from the Ohio Department of Mental Health and Addiction Services Specialized Docket Subsidy Project Funding Grant for the Medina Municipal Court Veteran's Treatment Court.

Ord. 145-25

An Ordinance authorizing the Finance Director to waive certain uncollectible utility accounts.

Res. 146-25

A Resolution authorizing the adoption of the Medina County 2025 All Hazard and Flood Mitigation Plan Update.

Ord. 147-25

An Ordinance authorizing the Mayor to advertise for the auction, sale or disposal of City equipment and vehicles no longer in use.

Ord. 148-25

An Ordinance amending Section 31.13 (1)(J) of the Salaries and Benefits Code of the City of Medina, Ohio relative to Vacation.

Ord. 149-25

An Ordinance amending Ordinance No. 209-24, passed November 25, 2024. (Amendments to 2025 Budget)

Ord. 150-25

An Ordinance authorizing the Mayor to enter into an Agreement with OC-SMA LLC, owner of Medina Supply, to allow for public parking on Permanent Parcel Nos. 028-19D-01-021 and 028-19D-01-018.

(emergency clause requested)

Ord. 151-25

An Ordinance authorizing the Mayor to accept two (2) Temporary Easements necessary for the Prospect Street Bridge Project.

(emergency clause requested)

Ord. 152-25

An Ordinance amending Section 31.02 (B)(6) of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Medina Municipal Court Grant Positions, and repealing Ordinance No. 132-25, passed August 25, 2025.

(emergency clause requested)

Council comments.

Adjournment.

MEDINA CITY COUNCIL
Monday, August 25, 2025

Call to Order:

Medina City Council met in regular session on Monday, August 25, 2025 at Medina City Hall. The meeting was called to order at 7:30 p.m. by President of Council John Coyne III, who also led in the Pledge of Allegiance.

Roll Call:

The roll was called with the following members of Council present: P. Rose, J. Shields, C. Simmons, D. Simpson, J. Coyne, N. DiSalvo, and R. Haire.

Also present were the following members of the Administration: Mayor Hanwell, Greg Huber, Keith Dirham, Nino Piccoli, Chief Kinney, Janson Wehrley, Kathy Patton, Jarrod Fry, Andrew Dutton and Kimberly Marshall.

Reading of Minutes:

Mr. Shields moved that the minutes from the regular meeting on July 14, 2025 as prepared and submitted by the Clerk be approved, seconded by Mr. Simpson. The roll was called and minutes were approved with the yea votes of J. Shields, C. Simmons, D. Simpson, J. Coyne, N. DiSalvo, R. Haire and P. Rose

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated the Finance Committee met prior to Council this evening and will meet again in two weeks.

Public Properties Committee: Mr. Shields had no report but is working with Jansen Wehrley to schedule a Public Properties meeting.

Health, Safety & Sanitation Committee: Mr. Simpson stated he and the Mayor attended the Life Support Team Advisory Board quarterly meeting on Thursday.

Special Legislation Committee: Mr. Rose had no report.

Streets & Sidewalks Committee: Ms. Haire had no report.

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

Emerging Technologies Committee: Ms. DiSalvo stated she is working on boosting Armstrong WIFI around the square for events. Armstrong is informed and they are working on it but with fiber networks coming in there has been a delay and also trying to make sure that anything they put up on the square matches the architecture.

Requests for Council Action:

Finance Committee

- 25-155-8/25 – Amend Ord. 162-22, Municipal Deer Control Permit Fee
- 25-156-8/25 – Adopt Citizen Participation Plan – Community Development
- 25-157-8/25 – Adopt Residential Anti-Displacement & Relocation Assistance Plan
- 25-158-8/25 – Extend Parking Agreement w/ Medina Supply – Community Development
- 25-159-8/25 – Accept Grant Funding – Veteran's Treatment – Municipal Court

25-160-8/25 – Uncollectible Utility Account Write-off
25-161-8/25 – Transfer Special Assessment Bond Retirement Fund Balance
25-162-8/25 – Amend S&B Code, Section 31.13 (1)(J) – Police
25-163-8/25 – Adopt Medina County All-Hazards Mitigation Plan – Fire Dept.
25-164-8/25 – 2025 City Auction
25-165-8/25 – Increase P.O. #25-1375 – Rescue Painting – MCRC
25-166-8/25 – Vacate City R-O-W from SFX Church Property
25-167-8/25 – Budget Amendments
25-168-8/25 – Fund Transfers – Unclaimed Monies
25-169-8/25 – Fund Transfer – Annual Parking Fund
25-170-8/25 – Accept Easements, Prospect St. Bridge
25-171-8/25 – Contract Adjustment, Medina Municipal Courthouse
25-172-8/25 – Medina Meow Fix – Funding Request
25-173-8/25 - \$50,000 Exp to Next Step Up Shelter

Reports of Municipal Officers:

Dennis Hanwell, Mayor,

Welcome back to Council!

Sunday, August 24th he attended the Annual Community Alliance Project at Mellert Park. In attendance were Mr. Shields, Mr. Simmons, and Sheriff Grice. It is a great community event for the north west residents with support of many non-profits, Medina School Board and Safety forces members from City and County. Thankful to Rev. Mike Wilson for organizing, planning and hosting.

State of City to Council is on Monday, September 8th at 6:30 p.m. (Finance will be a little earlier)
State of City to the Greater Medina Area Chamber of Commerce at Williams on the Lake, Tuesday, September 9th at 11:30 a.m.

Events on the Square:

- Farmer's Market 9 a.m. – 1 p.m. started May 17th and continues every Saturday to October 4th
- Cars and Coffee on the square Sunday, August 31st 8 a.m. – noon.
- Spirits of the Past, September 3rd – 6th 7 p.m. – 10 p.m.
- Tunnel to Towers Walk and Run, Sunday, September 7th 7 a.m. – noon
- Medina Fall Festival, Saturday, September 27th 10 a.m. to 2 p.m.

Keith Dirham, Finance Director, Keith stated there are items on the agenda he will discuss.

Greg Huber, Law Department, had no report.

Kimberly Marshall, Economic Development Director, August ribbon cuttings were held for Cool Beans Café, Acme Fresh Market, Davis Park School of Arts, and Hemmingway Underground Crafted Cocktail Bar and Restaurant.

Working through Job Creation Grant monitoring process and will have report later this year.

Chief Kinney, Police Department, Chief reminded motoring public that kids are back in school and to please keep your eye out for children walking and crossing streets and for buses.

Medina City Council
August 25, 2025

Cindy Lastuka, Municipal Court, had no report.

Nino Piccoli, Service Director, Nino had no report.

Patrick Patton, City Engineer, Absent.

Chief Walters, Fire Department, updated everyone on the two firefighters that were injured last Wednesday night while working on a residential structure fire in Montville Twp. Both are at home recovering and doing well.

Retired Medina Fire Lt. Bob Kiley passed away this last weekend.

Visitation – Thursday, August 28th 5-8 p.m. Waite and Sons in Medina. Service is Friday at noon.

Andrew Dutton, Community Development Director, had no report.

Jansen Wehrley, Parks and Recreation Director, Jansen stated the locker room renovation project at the Rec Center is delayed as they are seeing some material issues. Hoping to get this completed by September 13th.

The Memorial Pool last weekend of the year is this weekend.

Splashpads will also be closing after Labor Day.

Dan Gladish, Building Official, had no report.

Notices, communications and petitions

There were none.

Unfinished Business

There is none.

Introduction of visitors

There were none

Introduction and consideration of ordinances and resolutions.

Mr. Shields moved to suspend the rules requiring three readings on the following ordinances and resolutions, seconded by Mr. Simpson: Res. 130-25, Res. 131-25, Ord. 132-25, Ord. 133-25, Res. 134-25, Ord. 135-25, Res. 136-25, Ord. 137-25, Ord. 138-25, Ord. 139-25, Ord. 140-25, Ord. 141-25. The roll was called and motion passed with the yea votes of C. Simmons, D. Simpson, J. Coyne, N. DiSalvo, R. Haire, P. Rose and J. Shields

Res. 130-25

A Resolution authorizing the filing of a grant application to the Department of Justice (DOJ) for a COPS (Community Oriented Policing Services) grant for the Police Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 130-25, seconded by Mr. Simpson. Chief Kinney stated this is to authorize applying for and accepting this grant. The Community Oriented Policing Services would strengthen community relations, enhance outreach programs and improve trust between the department and residents. The roll was called and Ordinance/Resolution

No. 130-25 passed by the yea votes of D. Simpson, J. Coyne, N. DiSalvo, R. Haire, P. Rose, J. Shields and C. Simmons.

Res. 131-25

A Resolution authorizing the application and acceptance of the Probation Community Corrections Act Grant (CCA) renewal for the period of July 1, 2025 to June 30, 2027 for the Medina Municipal Court. Mr. Shields moved for the adoption of Ordinance/Resolution No. 131-25, seconded by Mr. Simpson. Cindy stated this is a renewal grant for one full time probation officer and one part time probation officer. The next ordinance is kind of attached to this. The roll was called and Ordinance/Resolution No. 131-25 passed by the yea votes of J. Coyne, N. DiSalvo, R. Haire, P. Rose, J. Shields, C. Simmons and D. Simpson.

Ord. 132-25

An Ordinance amending Section 31.02 (B) (6) of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Municipal Court Probation Grant Positions. Mr. Shields moved for the adoption of Ordinance/Resolution No. 132-25, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 132-25, seconded by Mr. Simpson. The roll was called on adding the emergency clause and was approved by the yea votes of N. DiSalvo, R. Haire, P. Rose, J. Shields, C. Simmons, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 132-25 passed by the yea votes of R. Haire, P. Rose, J. Shields, C. Simmons, D. Simpson, J. Coyne, and N. DiSalvo.

Ord. 133-25

An Ordinance authorizing the Mayor to accept two (2) Easements necessary for the West Smith Water Line Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 133-25, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 133-25, seconded by Mr. Simpson. Mr. Piccoli spoke for Mr. Patton stating in order to complete the replacement of the waterline on West Smith Rd. the city needs to acquire several easements. The emergency clause is needed as the property owner signed the easement prior to council summer break and we would like to get that recorded as soon as possible. The roll was called on adding the emergency clause and was approved by the yea votes of P. Rose, J. Shields, C. Simmons, D. Simpson, J. Coyne, N. DiSalvo, and R. Haire. The roll was called and Ordinance/Resolution No. 133-25 passed by the yea votes of J. Shields, C. Simmons, D. Simpson, J. Coyne, N. DiSalvo, R. Haire and P. Rose.

Res. 134-25

A Resolution authorizing an application for grant assistance with the Ohio Public Works Commission (OPWC) for the State Road Reconstruction project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 134-25, seconded by Mr. Simpson. Nino stated this is to submit the grant application to OPWC for the reconstruction of State Road Phase One. The grant is for \$632,000.00. If awarded the city share of the \$3.2-million-dollar project will be \$1.45 million. The grant application is due on September 5th. The roll was called and Ordinance/Resolution No. 134-25 passed by the yea votes of C. Simmons, D. Simpson, J. Coyne, N. DiSalvo, R. Haire, P. Rose and J. Shields

Ord. 135-25

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for the Medina Street Bridge Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 135-25, seconded by Mr. Simpson. Mr. Piccoli stated the estimate for the project is \$677,000.00. The city was previously awarded a grant for this project in the amount of \$432,000.00, the city share for the project will be \$245,000.00. The roll was called and Ordinance/Resolution No. 135-25 passed by the yeas votes of D. Simpson, J. Coyne, N. DiSalvo, R. Haire, P. Rose, J. Shields and C. Simmons.

Res. 136-25

A Resolution authorizing the Mayor to file an application for grant assistance from the 2025 Edward Byrne Memorial Justice Assistance Grant (JAG), for the Police Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 136-25, seconded by Mr. Simpson. Chief Kinney stated this software system is designed to improve 911 call handling as dispatch decision making. The roll was called and Ordinance/Resolution No. 136-25 passed by the yeas votes of J. Coyne, N. DiSalvo, R. Haire, P. Rose, J. Shields, C. Simmons and D. Simpson.

Ord. 137-25

An Ordinance authorizing the Mayor to enter into a Fitness Partnership Agreement with Peerfit, Inc., dba FitOn Health to offer fitness class privileges to their clients at the Medina Community Recreation Center. Mr. Shields moved for the adoption of Ordinance/Resolution No. 137-25, seconded by Mr. Simpson. Mr. Wehrley stated this would allow them to enter into a fitness partnership with Peerfit dba FitOn Health. This program includes both a membership and a monthly flex pass for programs. Reimbursement is based on daily scans and we forward a monthly scan report. The roll was called and Ordinance/Resolution No. 137-25 passed by the yeas votes of N. DiSalvo, R. Haire, P. Rose, J. Shields, C. Simmons, D. Simpson, and J. Coyne.

Ord. 138-25

An Ordinance amending Ordinance No. 162-22, passed September 12, 2022 by repealing Section 2, relative to the stand location fee for the Municipal Deer Control Permit. Mr. Shields moved for the adoption of Ordinance/Resolution No. 138-25, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 138-25, seconded by Mr. Simpson. Jansen Wehrley stated Section 2 was originally included with the ordinance to defray expenses incurred with the management of municipal deer control permit process. We are now requesting to remove that to take out an additional barrier that was required for participants in the program. The emergency clause is requested because applications are currently being accepted and the season starts September 27th. The roll was called on adding the emergency clause and was approved by the yeas votes of R. Haire, P. Rose, J. Shields, C. Simmons, D. Simpson, J. Coyne, and N. DiSalvo. The roll was called and Ordinance/Resolution No. 138-25 passed by the yeas votes of P. Rose, J. Shields, C. Simmons, D. Simpson, J. Coyne, N. DiSalvo, and R. Haire.

Ord. 139-25

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. 139-25, seconded by Mr. Simpson. This is the annual codification update. The roll was called and Ordinance/Resolution No. 139-25 passed by the yea votes of J. Shields, C. Simmons, D. Simpson, J. Coyne, N. DiSalvo, R. Haire and P. Rose.

Ord. 140-25

An Ordinance amending Ordinance No. 209-24, passed November 25, 2024. (Amendments to 2025 Budget) Mr. Shields moved for the adoption of Ordinance/Resolution No. 140-25, seconded by Mr. Simpson. Mr. Dirham stated there are some items from the Rec Center which Jansen addressed, some have to do with unclaimed funds and then there are some adjustments within funds. The roll was called and Ordinance/Resolution No. 140-25 passed by the yea votes of C. Simmons, D. Simpson, J. Coyne, N. DiSalvo, R. Haire, P. Rose and J. Shields.

Ord. 141-25

An Ordinance authorizing the Finance Director to make certain fund transfers. Mr. Shields moved for the adoption of Ordinance/Resolution No. 141-25, seconded by Mr. Simpson. Keith stated these are unclaimed funds, the annual subsidy to Parking Fund and moving the special assessment fund proceeds. The roll was called and Ordinance/Resolution No. 141-25 passed by the yea votes of D. Simpson, J. Coyne, N. DiSalvo, R. Haire, P. Rose, J. Shields and C. Simmons.

Council comments

Mr. Simpson – regards to Mr. Kiley.

Kickoff to election season begins next week. Mr. Simmons – Ward 1, Ms. Haire – Ward 3, Mr. Rose – Council at Large decided not to seek another term, Mayor Hanwell's term ends this year and the two candidates are John Coyne and Jim Shields with both having over 25 years-experience on council and more than well qualified. Educate yourselves by engaging their websites. Be Kind.

Ms. Haire – Summer and break has flown by. Reminded community Tues. Sept. 2nd city council wards 3 & 4 community meeting at 7 p.m. at Heritage school on Guilford Blvd.

School is back in session. Be careful out there driving especially with all the deer.

Mr. Simmons - Shout out to Rev. Wilson – great family fun day event at Mellert Park.

Mr. Shields stated for the Ward 3 & 4 meeting we will be in the gymnasium. Thanked Rev. Wilson. Condolences to Mr. Kiley's family. Bob was his neighbor, known him his entire life.

Mr. Coyne – Thurs. Aug. 28th, City Hall 5 p.m. meeting with Medina Co. Planning Commission.

Adjournment.

Kathy Patton, Clerk of Council

John Coyne III, President of Council

ORDINANCE NO. 142-25

**AN ORDINANCE ADOPTING THE CITY OF MEDINA
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
CITIZEN PARTICIPATION PLAN, AND DECLARING AN
EMERGENCY.**

WHEREAS: The City of Medina is eligible to receive and has received Community Development Block Grant (CDBG) Small Cities program funds; and

WHEREAS: The City of Medina must adopt a Citizen's Participation Plan for the purpose of providing for and encouraging citizen's participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blight areas and of areas with residents in low and moderate income neighborhoods as defined by the local jurisdiction at all stages of the Community Development Program, including at least the development of needs, the review of proposed activities, and review of program performance.

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

SEC. 1: That the City of Medina Community Development Block Grant Program Citizen Participation Plan is hereby adopted.

SEC. 2: That a copy of the City of Medina Community Development Block Grant Program Citizen Participation Plan 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 the current plan has expired; 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

**CITY OF MEDINA
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
CITIZEN PARTICIPATION PLAN**

Whereas the City of Medina (hereafter referred to as the "City") is eligible to receive and has received Community Development Block Grant (hereafter referred to as "CDBG") Small Cities program funds, the City has adopted the following Citizen Participation Plan. The purpose of the Plan is to provide for and encourage citizen participation, with particular emphasis on participation by persons of low and moderate income. The subsequent process will be followed by the City to provide citizens with an opportunity to participate in the planning, implementation, and assessment of the community's CDBG program:

1. **Required Public Hearings** - A minimum of two (2) public hearings will be required before the City may apply for funding. Together, the hearings must cover community development and housing needs, the development and review of proposed activities, and a review of program performance. The City will hold public hearings after a minimum seven (7) calendar days' notice at City of Medina City Hall, an ADA-accessible facility, so that members of the general public may attend in-person.
2. **Public Hearing #1** - The City will hold the first public hearing prior to the development of any CDBG grant program applications.
 - a. Information to be conveyed and program areas to be discussed at Public Hearing #1 will include the following:
 - i. National and state program objectives;
 - ii. Estimated amount of funds available to the City;
 - iii. An overview of available programs and their requirements.;
 - iv. Performance of the City in past CDBG programs, if applicable;
 - v. Tentative Date of Public Hearing #2; (if already scheduled, or TBD)
 - vi. The estimated date the application is due to the Ohio Department of Development; and,
 - vii. Citizen views and comments.
 - b. A sign-in sheet and minutes for the hearing shall be created and maintained.
 - c. Notice of the hearing must be published at least seven (7) calendar days prior to the hearing and must include a summary of the program and amounts available. For notification methods, see Methods of Notification in Section 7. below.
3. **Solicitation of Proposals** - Between Public Hearing #1 and Public Hearing #2, the City will solicit proposals from organizations, individuals, other governmental units, or other subrecipients. When developing project proposals, citizens and organizations are encouraged to contact the City Community Development Department for available technical assistance and guidance from City staff at no cost.
4. **Public Hearing #2** - Public Hearing #2 will be held after the city reviews project proposals submitted and selects no more than two (2) projects for funding in order to give citizens an opportunity to review and comment on the City's proposed application prior to its submission.
 - a. Public Hearing #2 will cover project-specific information, including:
 - i. Which projects the City has selected to be included in the application;
 - ii. The amount of CDBG and other funds allocated for each project;
 - iii. The location of each project;
 - iv. The timetable for completion of each project;
 - v. Which CDBG national objective each project will meet; and,
 - vi. Citizen views and comments.



- b. A sign-in sheet and minutes for the hearing shall be created and maintained.
- c. Notice of the hearing must be published at least seven (7) calendar days prior to the hearing, and must include a list of selected projects, locations, and project amounts. For notification methods, see Methods of Notification in Section 7. below.
- 5. Amendment Public Hearing - A public hearing may also be required as part of the grant amendment process if the proposed amendment constitutes a substantial change to the scope of the grant agreement. The primary purpose of an amendment public hearing is to provide citizens with an opportunity to review and comment on such a substantial change in a grantee's CDBG program. The notice publication and requirements for an amendment public hearing should follow the format for the Public Hearing #2 detailed above.
- 6. Bilingual Opportunities - Bilingual opportunities will be provided where applicable and/or requested. If the City has a population segment with a primary language other than English, bilingual notices and provisions for the translation of program documents will be provided. The City requests at least one week's notice prior to the hearing date for accommodation to be arranged.
- 7. Methods of Notification - The City may choose between the following two options for notifying the public of an upcoming hearing:
 - a. Publication in a Newspaper - A standard public hearing notification must be published in the legal section or non-classified section of a newspaper of general circulation at least seven (7) days prior to the public hearing.
 - b. Public Posting and General Outreach
 - i. A notice must be posted in common areas of at least five (5) local administrative offices (i.e., City Hall or County Administrative Building) where it is accessible and visible to the public at least seven (7) days prior to the public hearing; and,
 - ii. The community must utilize at least five (5) outreach outlets listed below to notify the public about the hearing:
 - 1. City website
 - 2. Public social media accounts
 - 3. Public library or school
 - 4. Cable TV public access channel
 - 5. Community center
 - 6. Community Action Agency
 - 7. Public Housing Authority
 - 8. Local workforce development office
 - 9. Other public or private agencies and institutions serving the general public
 - 10. Direct contact with households (i.e. mailing, flyer, etc.)
- 8. Complaints and Grievances - The City will maintain a file of citizens' complaints regarding CDBG Programs/funding and will provide a timely written response to complaints and grievances within fifteen (15) working days. The response will include any action(s) that the grantee will undertake to address citizens' concerns.

Attachments:

- A. Sample Notice of Public Hearing #1
- B. Sample Notice of Public Hearing #2
- C. Policy Notice CSD 23-02 - Citizen Participation Requirements
- D. Policy Notice OCD 13-02 - Dispute Resolution and Conflict Management



**PUBLIC NOTICE
NOTICE OF FIRST PUBLIC HEARING
PROGRAM YEAR 20__ BIENNIAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM and
COMMUNITY DEVELOPMENT IMPLEMENTATION STRATEGY SURVEY**

The City of Medina intends to make application to the Ohio Department of Development (ODOD) to access funding from the approximately \$_____ million of funds available under the Program Year 20__ (PY__) Biennial Community Development Block Grant (CDBG) Small Cities Program, a federally funded program administered by the State of Ohio.

The City is eligible for approximately \$_____ of CDBG Community Development Allocation Program funds and additional funds for a competitive set-aside program: Neighborhood Revitalization (up to \$_____); and for competitive open-cycle programs: Critical Infrastructure (up to \$_____) and Flexible Grant/Downtown Buildings Program (up to \$_____); providing the City meets applicable program requirements.

CDBG Community Development Allocation funding requests from eligible city entities are due to the City of Medina by _____, __, 20__. Projects will be reviewed, ranked, and selected based on compliance with a CDBG National Objective; inclusion in Medina's Community Development Implementation Strategy (CDIS); application completeness; number of beneficiaries served; and number of previous awards. The City's Community Development Allocation application to ODOD is due on _____, __, 20__.

The City of Medina may apply for funding under the following programs: Community Development Program; Community Housing Impact and Preservation Program (CHIP); Economic Development & Public Infrastructure Programs; Flexible Grant Program; Training and Technical Assistance Funds; New Horizons Fair Housing Assistance Program; Residential Public Infrastructure Grant Program; Housing Opportunities for Persons with AIDs (HOPWA) Program; Supportive Housing, Homeless Crisis Response, & Housing Assistance Grant Programs; and, Any/New Programs Announced Under the CDBG, HOME, and OHTF Programs.

The first of the required two public hearings for this grant program will be convened in City of Medina City Hall, Rotunda 132 North Elmwood Avenue, Medina, Ohio 44256, an ADA-accessible facility. The hearing shall commence at ____ p.m. on _____, __, 20__, to provide citizens with pertinent information about the CDBG program, including an explanation of eligible activities and program requirements. The CDBG program can fund a broad range of activities including economic development projects; street improvements; water supply, drainage, and sanitary sewer improvements; park acquisitions and improvements; demolition of unsafe structures; and rehabilitation of housing and neighborhood facilities. The activities must be designed to meet one of the CDBG National Objectives: to primarily benefit low- and moderate-income persons, or aid in the prevention or elimination of slums and blight; or meet an urgent need of the community; and comply with the applicable Program Objectives as outlined in the Ohio Consolidated Plan.

Attachment A: Sample Notice of Public Hearing #1



To assist the City in preparing a State required Community Development Implementation Strategy (CDIS) needed for the PY__ CDBG Program, all interested entities/parties within the City of Medina are asked to complete a CDIS Survey. The CDIS survey can be found at medinaoh.org/city-hall/planning-zoning or by contacting the Community Development office at City Hall or adutton@medinaoh.org. CDIS surveys must be submitted by ____, __, 20__ or brought to the planning meeting to be held immediately following the public hearing on ____, __, 20__, at ____ p.m. in the City Hall Rotunda, 132 North Elmwood Avenue, Medina, Ohio 44256.

Citizens are encouraged to attend the first public hearing to provide input on the city's CDBG Program. Should any participant require auxiliary aids due to disability or non-English languages, please contact the Community Development Office at least one week prior to the hearing date to ensure needs will be accommodated. Anyone wishing to submit written comments prior to the hearing may direct them to the City of Medina at the address above.

By order of the City of Medina, Ohio
Mayor Dennis Hanwell



**NOTICE OF SECOND PUBLIC HEARING
PY20__ Community Development Block Grant (CDBG) Allocation Grant**

The City of Medina intends to apply to the Ohio Department of Development (ODOD) for funding under the Community Development Block Grant (CDBG) Small Cities Community Development Program, a federal program administered by the State of Ohio. The first of two required public hearings was held on _____, ___, 20__ to inform citizens about the CDBG program, eligible activities, and other requirements. The City solicited project proposals from eligible entities. The proposed use of funds is set forth below.

Community Development Allocation Grant: The City of Medina is eligible to utilize \$_____ of CDBG Allocation funds, providing program requirements are met. Based on citizen input, local officials' assessment of needs, compliance with a CDBG National Objective, and inclusion in the City's Community Development Implementation Strategy (CDIS), the City is proposing to use Allocation funds as follows: 1) Activity #1 (National Objective(s) Met) - \$_____, 2) Activity #2 (National Objective(s) Met) - \$_____, 3) General Administration (CDBG Funds) - \$_____, and 4) Fair Housing (CDBG Funds) \$_____ for a total of \$_____.

A second public hearing will be convened by the City of Medina on _____, ___, 20__ at _____ p.m. in the Medina City Hall Rotunda, 132 North Elmwood Avenue, Medina, Ohio 44256 to give citizens an opportunity to review and comment on the city's proposed projects before the grant application is submitted to the ODOD on or before _____, ___, 20__.

Citizens are encouraged to attend this public hearing to express their views concerning the application. Should any participant require auxiliary aids due to disability or non-English languages, please contact this office at least one week prior to the hearing date to ensure needs will be accommodated. Citizens wishing to submit written comments prior to the hearing may direct them to Andrew Dutton, Community Development Director at the address given or via email at adutton@medinaoh.org.

By Order of the City of Medina, Ohio
Mayor Dennis Hanwell



**Department of
Development**

Development.Ohio.gov

Mike DeWine, Governor Jon Husted, Lt. Governor Lydia Mihalik, Director

Community Services Division

POLICY NOTICE: **CSD 23-02**
SUBJECT: **Citizen Participation Requirements**
SUPERSEDES: **OCD 07-01**
ISSUED: April 10, 2023 (Updated Nov. 19, 2024)
EFFECTIVE: April 10, 2023
DISTRIBUTED TO: CSD CDBG Award Recipients and their Affiliates

APPLICABILITY:

Community Development Block Grant (CDBG)-funded Awards:

- Community and Economic Development Programs
- Community Housing Impact and Preservation Program (CHIP)
- Flexible Grant Program
 - New Horizons Fair Housing Program

SUPERSEDES:

- Policy Notice OCD 07-01: Public Hearing Notification Requirements

SUMMARY OF CHANGES:

- Streamlines the alternative hearing notice options originally provided in Policy Notice OCD 07-01.
- Clarifies and incorporates issued guidance on the citizen participation process into policy.
- Provides a hybrid model for public meetings in accordance with Ohio's Open Meetings law.
- Reduces publication requirement from 10 days prior to hearing to seven days prior to hearing.

CITATIONS:

- [24 C.F.R. 570.486](#)
- [O.R.C. 121.22](#)
- [O.R.C. General Provisions, Chapter 7](#)
- [Ohio House Bill 51](#)

PROGRAM POLICY:

Office of Community Development (OCD) award recipients must provide for and encourage citizen participation and ensure residents will be given reasonable and timely access to local meetings, information, and records relating to the proposed and actual use of CDBG funds. The purpose of the citizen participation process is to assure CDBG-funded programs address locally identified needs benefitting low- and moderate-income (LMI) individuals or remediating conditions of slum and blight.

Local Citizen Participation Plan

Local governments applying for CDBG-funded programs must adopt a citizen participation plan. The plan, at minimum, must include:

1. Accommodations for participation by LMI individuals, those who are residents of slum and blight areas, and of areas in which Section 106 funds are proposed to be used.
2. Standards for reasonable and timely access to local meetings, information and records relating to the grantee's proposed, and actual, use of grant funds.
3. Provisions for technical assistance to groups representing LMI individuals requesting such assistance in developing project proposals.
4. A complaint process which provides for a timely response to complaints and grievances, within 15 working days where practical.
5. Access to public hearings where citizens may provide comments and questions at all stages of the community development programs, including the development of needs, the review of proposed activities, and review of program performance. Hearings shall take place after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodation for people with a disability.
6. Provisions for meeting the needs of non-English-speaking residents in the case of a public hearing where a significant number of non-English-speaking residents can be reasonably expected to participate.

The local government must review, update, and re-adopt the citizen participation plan regularly, no fewer than every six years. Where the local government is a county which applies on behalf of dedicated cities, the county must fulfill citizen participation requirements on behalf of the jurisdiction(s).

General Requirements

A minimum of two public hearings are required before a local government may apply for funding. Together, the hearings must cover community development and housing needs (including affirmatively furthering fair housing), development of proposed activities, and a review of program performance. Each hearing must be preceded by adequate public notice.

Temporary authority for members of a public body to meet by means of teleconference or video conference because of the COVID-19 pandemic expired on June 30, 2022. Pursuant to Ohio's Open Meetings Act, local governments must provide accommodations for the public to attend the public

Attachment C: Policy Notice CSD 23-02 - Citizen Participation Requirements

hearing in person. Public bodies may broadcast or livestream meetings if the public has the option of attending the meeting in person.

First Public Hearing

The first public hearing should be conducted at the initial stage of application preparation. Information to be conveyed at the first public hearing should include:

- National and state program objectives.
- Estimated amount of funds available to the community.
- An overview of available programs and their requirements.
- Performance of the locality in past CDBG programs, if applicable.
- Date of the second public hearing.
- Date the application is due to the OCD in OCEAN.
- Citizen views and comments.

The community must maintain a sign-in sheet and minutes for the hearing in its files.

Notice of the hearing must be published at least seven days prior to the hearing, and at minimum must include a summary of the programs and amounts available. For notification methods, see below.

Second Public Hearing

The second public hearing should be conducted after projects have been identified by the local government, but before applying to OCD. The second public hearing should take place no fewer than seven calendar days after the first public hearing to allow for public comment. The second public hearing should cover project-specific information, including:

- Which projects the community has selected to be included in the application.
- The amount of CDBG and other funds allocated for each project.
- The location of each project.
- The timetable for completion of each project.
- Which CDBG national objective each project will meet.
- Citizen views and comments.

The community must maintain a sign-in sheet and minutes for the hearing in its files.

Notice of the hearing must be published at least seven days prior to the hearing, and at minimum must include a list of selected projects, locations, and project amounts. For notification methods, see below.

Amendment Public Hearing

A public hearing may also be required as part of the grant amendment process if the proposed amendment constitutes a substantial change to the scope of the grant agreement. The primary purpose of an amendment public hearing is to provide citizens with an opportunity to review and

Attachment C: Policy Notice CSD 23-02 - Citizen Participation Requirements

comment on such a substantial change in a grantee's CDBG program. The notice publication and requirements for an amendment public hearing should follow the format for the second public hearing detailed above.

Methods of Notification

The community may choose between the following two options for notifying the public of an upcoming hearing:

1. Publication in a Newspaper

A standard public hearing notification must be published in the legal section or in the non-classified section of a newspaper of general circulation at least seven days prior to the public hearing.

2. Public Posting and General Outreach

No newspaper publication is required, but the community must meet the following requirements:

- a. A notice must be posted in common areas of at least five local administrative offices (i.e., city hall or county administrative building) where it is accessible and visible to the public at least seven days prior to the public hearing; and,
- b. The community must utilize at least five outreach outlets listed below to notify the public about the hearing:
 - Community website
 - Public social media accounts
 - Public library or school
 - Cable TV public access channel
 - Community center
 - Community Action Agency
 - Public Housing Authority
 - Local workforce development office
 - Other public or private agencies and institutions serving the general public
 - Direct contact with households (i.e. mailing, flyer, etc.)

COMPLIANCE MEASURES:

OCD will review citizen participation compliance during the monitoring of the grant files, prior to grant closeout.

ADDITIONAL GUIDANCE:

Ohio Attorney General Sunshine Laws Publications

Ohio Attorney General Open Book July 2022



Development
Services Agency

Community Services Division
Office of Community Development
77 South High Street, Columbus Ohio 43215 U.S.A.
Phone: (614) 466-2285
Fax: (614) 752-4375

Program Policy Notice: OCD 13-02

Replaces Program Policy Notice OCD 09-04

SUBJECT: Dispute Resolution and Conflict Management Policy for Office of Community Development for housing rehabilitation and repair activities except for projects funded through the Ohio Housing Finance Agency.

ISSUED: July 1, 2013

DISTRIBUTED TO: Office of Community Development Award Recipients and their Affiliates

PROGRAM POLICY

The Office of Community Development is replacing the original Program Policy Notice to provide clarity and update the requirements of dispute resolution and conflict management for the Office of Community Development funded programs. This policy applies to all programs funded through the Office of Community Development's Residential Revitalization Section, Economic and Appalachian Development Section and the Supportive Housing Section. It does not apply to projects funded through the Ohio Housing Finance Agency. The Office of Community Development Dispute Resolution and Conflict Management Policy applies to all direct beneficiary-related housing rehabilitation, repair and construction projects completed with the Office of Community Development program funds and program income, beginning with grants funded in FY 2013.

General Requirements

To protect the interest of the parties involved in the Office of Community Development-funded housing activities, the Ohio Development Services Agency's Office of Community Development established the Dispute Resolution and Conflict Management Policy.

The policy outlines the responsibilities of the grantee, administrator, homeowners and contractors responsible for completing the Office of Community Development-funded projects. This policy applies only to those projects which include housing rehabilitation, repairs and construction. The grantee shall have appropriate procedures in place to address disputes arising from walkaway projects and/or non-construction activities. During the Office of Community Development's monitoring of a grant, compliance with this policy and local procedures will be confirmed.

The Office of Community Development will not entertain requests to intervene during a dispute. If it becomes necessary to proceed to arbitration, the arbitrator's decision is final and binding. No dispute or argument will be considered after this process is complete.

Recommendation: Most disputes can be prevented by all parties if there is a clear understanding of material quality standards and material selection limitations. Signed approval of material selection, color choices and change orders can assist in the prevention of a conflict.

Attachment D: Policy Notice OCD 13-02 - Dispute Resolution and Conflict Management

To ensure that the appropriate parties are informed about the Dispute Resolution and Conflict Management Policy, grantees must provide a copy of the Dispute Resolution and Conflict Management Policy and Dispute Resolution Form to every administrator, rehabilitation/repair/construction client, contractor and when/if necessary any mediator and/or arbitrator. The grant administrator shall provide copies of the policy to both the client and contractor at the pre-construction conference and obtain their signatures acknowledging receipt, along with their complete understanding of the Dispute Resolution and Conflict Management Policy. By acknowledging receipt of the policy all parties agree to abide by the terms therein. A clause shall be incorporated in any rehabilitation/repair/construction contract referring to the Dispute Resolution and Conflict Management Policy. The original document must be maintained in the program's administrative file and copies provided to the homeowner and contractor.

The grantee is responsible for developing an alternative written method for communicating with an applicant if the applicant has a disability (e.g., physical, visual, hearing, speech and/or cognitive disability), is functionally illiterate, or has limited English proficiency and requests an accommodation. The grantee must also provide a copy of the written alternative method for communicating with a homeowner/applicant who is disabled to the administrator. For guidance regarding communicating with people with disabilities, visit <http://www.adata.org/ada-document-portal>. The cost of providing an accommodation to persons with a disability is the responsibility of the grantee.

The homeowner must understand their signature and date on the certification of completion verifies satisfaction of the contractor's workmanship and validates final payment. No complaints regarding workmanship will be accepted after that date. Failed items covered under the warranties should be handled by contacting the contractor directly, in writing if necessary, detailing all warranty items that need addressed, within 12 months of work completion. The grantee and program administrator have no obligation to assist with warranty work issues.

The cost of mediation and arbitration shall be borne by the grantee. Charges are eligible to be paid with active grant funds as soft costs, administration funds, or program income of the same activity source. If funds are not available, contact the Office of Community Development program representative for assistance in seeking other funding options.

Resolution of disputes shall follow the format described below.

Dispute Resolution and Conflict Management Process

1. If there is any dispute regarding the scope of work, workmanship or material quality/selection or any other discrepancy, the homeowner must notify the contractor immediately. If the contractor is not on site, the disputed work must stop and the contractor will be notified. Disputed work will not proceed until the issue is resolved.
2. Both the homeowner *and* contractor shall contact the administrator immediately when/if the dispute is not resolved between the contractor and the homeowner at step #1.
3. The administrator and/or grantee, rehabilitation specialist, contractor and the homeowner shall make a good faith effort to resolve the dispute at this time. If resolved, details of the dispute and resolution must be documented and signed at this time. The documentation will be placed in the client file.
4. If the dispute is not resolved at step #3, the homeowner must submit a written complaint to the grantee within five working days, on the Dispute Resolution Form provided.

Attachment D: Policy Notice OCD 13-02 - Dispute Resolution and Conflict Management

Note: Disputed work that is necessary for the health and safety of the occupants, sanitary reasons or the protection of the structure and/or property, should proceed to the extent necessary to safeguard until the dispute is resolved.

5. Upon receipt of a written complaint, the administrator shall notify the grantee of the dispute. The grantee may attempt local resolution at this point, but in any case, shall require the administrator to respond in writing within 15 working days of receiving the complaint. Local resolution may be, but is not limited to, a review committee comprised of impartial members. Procedures for local resolution methods must be attached to this policy, and described in the grantee's local Policies and Procedures Manual.
6. The homeowner shall provide a statement, in writing, within 15 working days of the grantee's response date either accepting the proposed resolution or requesting mediation.
7. Within 15 working days of the date of the homeowner's response requesting mediation, the grantee and administrator shall provide the homeowner with the option of two dates for mediation.*

*The grantee may opt to proceed directly to arbitration.

Mediator Responsibilities

If the dispute cannot be resolved through negotiations with all parties, it may be submitted to mediation if the grantee chooses. The mediator is responsible for assisting the parties, impartially, in reaching an agreement on the disputed matter within 30 days of receiving the dispute.

The grantee may use the assistance of, but are not limited to, the Ohio Mediation Association to identify a mediator. The Ohio Mediation Association can be reached at P.O. Box 473, Columbus, Ohio, 43216, and can be contacted by telephone at (614) 321-7922, and by email at <http://mediateohio.org>.

Arbitrator Responsibilities

If the dispute cannot be resolved through negotiations with all parties or through the optional mediation process, the dispute **must** be submitted to arbitration. The arbitrator is responsible for providing a resolution to the dispute submitted by the applicant within 60 days of receiving the dispute.

The administrator may use the assistance of, but are not limited to, the American Arbitration Association. The American Arbitration Association is located at 250 East Fifth Street, Suite 330, Cincinnati, Ohio 45202-4173 and can be contacted by telephone at (513) 241-8434 or by fax at (513) 241-8437. For more information regarding the American Arbitration Association, visit <http://www.adr.org/>.

Attachment D: Policy Notice OCD 13-02 - Dispute Resolution and Conflict Management

The arbitrator's decision is final and binding. No dispute or argument will be considered after this process is complete.

We hereby acknowledge receipt of this copy of the *Dispute Resolution and Conflict Management Policy*. We understand and accept the outlined process for any and all disputes that may result from our involvement with the program.

Homeowner Signature Date

Homeowner Signature Date

Contractor Signature Date

ORDINANCE NO. 143-25

AN ORDINANCE ADOPTING A RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN FOR THE CITY OF MEDINA, AND DECLARING AN EMERGENCY.

WHEREAS: In accordance with requirements for making application to the Ohio Department of Development for Community Development Block Grant assistance, the City of Medina has to adopt a Residential Anti-Displacement and Relocation Assistance Plan whether or not demolition activities are planned.

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

- SEC. 1:** That a Residential and Anti-Displacement and Relocation Assistance Plan is hereby adopted for the City of Medina.
- SEC. 2:** That a copy of the Plan 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 to have said Plan go into effect immediately as the existing Plan is past the 5-year re-approval date; 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



Residential Anti-Displacement and Relocation Assistance Plan

General Information: An Anti-Displacement and Relocation Assistance Plan is required by all grantees prior to funding, even if demolition activities are not planned. This plan must be updated every five years. If you have not previously adopted a plan, utilize this format at a minimum to adopt a plan. If you have previously adopted a plan, you may submit an executed copy of that plan in lieu of completing this form (if your activities include demolition or conversion, you will need to get clearance from the Office of Community Infrastructure (OCI) prior to proceeding with any demolition or conversion). Attach requested information from this form to your plan.

Ordinance Number: _____ Date of Ordinance: _____

City of Medina will replace all occupied and vacant-occupiable low-to-moderate-income (LMI) dwelling units demolished or converted to a use other than LMI housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, and as described in 24 CFR 570.488. U.S. Department of Housing and Urban Development (HUD) regulations have extended this requirement to the HOME program as well. All replacement housing will be provided within three years of beginning the demolition or rehabilitation related to conversion. Before obligating or expending funds that will directly result in demolition or conversion, the community will make public and submit to OCI the following information in writing:

1. A description of the proposed activity.
2. The location of each site on a map and the number of dwelling units by bedroom size that will be demolished or converted to a use other than as LMI dwelling units as a direct result of the activities.
3. A time schedule for the demolition or conversion commencement and completion.
4. The general location on a map and approximate number of dwelling units by bedroom size that will be provided as replacement dwelling units.
5. The funding source and a time schedule for providing replacement dwelling units.
6. An explanation of how the replacement dwelling unit will remain a LMI unit for at least 10 years from the date of initial occupancy.
7. An analysis determining whether a dwelling unit proposed to be demolished is occupiable or not.
8. An analysis determining whether a dwelling unit proposed to be demolished or converted is considered an LMI unit.

City of Medina will provide relocation assistance, as described in 24 CFR 570.488, to each LMI household displaced by housing demolition or conversion of a LMI dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives under the Act, the community agrees to provide substantial levels of assistance to individuals displaced by HUD-assisted programs and will further seek to minimize displacing individuals because of assisted activities.

Signature of Chief Elected Official

Dennis Hanwell
Name of Chief Elected Official

Mayor, City of Medina, OH
Title

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

An Anti-Displacement and Relocation Assistance Plan is required by all grantees prior to funding, whether or not demolition activities are planned. If you have not previously adopted a plan, utilize this format at a minimum to adopt a plan. If you have previously adopted a plan, you may submit an executed copy of that plan in lieu of completing this form. (If your activities include demolition or conversion, you will need to get clearance from OHCP prior to proceeding with any demolition or conversion. ATTACH INFORMATION REQUESTED IN THE FORM TO THE PLAN.

Ordinance or Resolution Number and Date: Ordinance No. 121-08, passed June 9, 2008

The City of Medina (Community) will replace all occupied and vacant occupiable low- and moderate-income dwelling units demolished or converted to a use other than low- and moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, and as described in 24 CFR 570.488. HUD regulations have extended this requirement to the HOME program as well.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in demolition or conversion, the City of Medina (Community) will make public and submit to the Office of Housing and Community Partnerships (OHCP) the following information in writing:

1. A description of the proposed assisted activity;
2. The location of each site on a map and the number of dwelling units by bedroom size that will be demolished or converted to a use other than as low- and moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by bedroom size that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low- and moderate-income unit for at least 10 years for the date of initial occupancy;
7. An analysis determining whether a dwelling unit proposed to be demolished is occupiable or not; and
8. An analysis determining whether a dwelling unit proposed to be demolished or converted is considered a low- and moderate-income unit.

The City of Medina (Community) will provide relocation assistance, as described in 24 CFR 570.488, to each low- and moderate-income household displaced by the demolition of housing or conversion of a low- and moderate-income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives under the Act, the City of Medina (Community) agrees to provide substantial levels of assistance to persons displaced by HUD-assisted programs and will further seek to minimize displacement of persons as a result of assisted activities.

Cynthia M. Fuller
Signature of Chief Elected Official, CEO

Cynthia M. Fuller, Acting Mayor
Typed Name and Title of CEO

June 2007

RESOLUTION NO. 144-25

A RESOLUTION ACCEPTING THE GRANT AWARD FROM THE OHIO DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES SPECIALIZED DOCKET SUBSIDY PROJECT FUNDING GRANT FOR THE MEDINA MUNICIPAL COURT VETERAN'S TREATMENT COURT.

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

- SEC. 1:** That the grant award from the Ohio Department of Mental Health & Addiction Services Specialized Docket Subsidy Project Funding Grant, in the amount of \$75,000, is hereby accepted for the Medina Municipal Court Veteran's Treatment Valor Court.
- 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: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 145-25

**AN ORDINANCE AUTHORIZING THE FINANCE
DIRECTOR TO WAIVE CERTAIN UNCOLLECTIBLE
UTILITY ACCOUNTS.**

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

- SEC. 1:** That the Finance Director is hereby authorized to waive certain utility accounts that are deemed to be uncollectible as identified as follows: Account #13739-001 in the amount of \$49.83.
- SEC. 2:** That the Board of Control is hereby authorized to accept partial payment or waive payment in lieu of full payment for those accounts.
- 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

RESOLUTION NO. 146-25

**A RESOLUTION AUTHORIZING THE ADOPTION OF THE
MEDINA COUNTY 2025 ALL HAZARD AND FLOOD
MITIGATION PLAN UPDATE.**

WHEREAS: Resolution No. 74-19, passed May 13, 2019, adopted the Medina County All Hazards and Flood Mitigation Plan approved by the Federal Emergency Management Agency (FEMA); and

WHEREAS: It is necessary for the plan to be updated every 5 years.

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

SEC. 1: That the 2025 Medina County All Hazard and Flood Mitigation Plan Update is hereby adopted.

SEC. 2: That a copy of the 2025 Medina County All Hazards and Flood Mitigation Plan is on file in the office of the Medina County Office of Emergency Management & Homeland Security.

SEC. 3: 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. 4: 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. 147-25

**AN ORDINANCE AUTHORIZING THE MAYOR TO
ADVERTISE FOR THE AUCTION, SALE OR DISPOSAL OF
CITY EQUIPMENT AND VEHICLES NO LONGER IN USE.**

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 the auction, sale or disposal of city equipment and vehicles no longer in use.
- SEC. 2:** That a list of the items to be auctioned and/or sold is marked Exhibit A, attached hereto and made a part hereof.
- SEC. 3:** That the Mayor is hereby authorized to dispose of any items not purchased in accordance with the law.
- 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

VEHICLES TO BE SOLD AT 2025 CITY AUCTION

ORD 147-25

<u>VEHICLE DESCRIPTION</u>	<u>VIN NUMBER</u>	<u>MILEAGE</u>	<u>DEPARTMENT</u>
2000 MACK	1M2AC07C1YM005042		Sanitation
2004 Ford DRW Super Duty	1FDWF36P14ED46335	48,862	Parks
2006 Ford F-250 Super Duty w/ Snow Plow	1FTSX21596ED96418		Fire Dept
2008 GMC Sierra 1500	1GTEC19038Z123157		Streets Dept
2009 MACK Front Loader	1M2AV04C79M002873		Sanitation
2009 Nissan Cube	JN8AZ28R29T121993		MPD
2009 Toyota Yaris	JTDBT903X94054085		MPD
2010 Ford Escape	1FMCU9C71AKC78583		Public Buildings
2010 DODGE Ram 1500	3D7JV1EP0AG111829		Sanitation
2011 Jeep Compass	1J4NT1FB48D245725		MPD
2011 GMC Sierra 1500 4X4	1GTR2TEA28Z187857		Streets Dept
2012 International	1HTGSSJT2CJ591981		Sanitation
2016 Ford Explorer	1FM5K8AR7GGA28810		MPD
2018 Ford Explorer	1FM5K8AR9JGB00095		MPD
2018 Ford Explorer	1FM5K8AR0JGB00096		MPD
2020 Kia Sportage	KNDPM3ACOL7699705		MPD

2025 City Auction Items List

ORD 147-25

Dept	Description	Model/Serial #
Economic Development		
1	Canon Camera (No lense)	
MCRC Items		
1	Jacobs Ladder	12944
1	Woodway Curve Pieces and Parts	from 478971018
1	Cybex ARC Trainers - Model 626AT	L1013626AT004N
1	Lakewood - Metal, Floor Fan	
1	Marron Chair with Arms	625885
1	Game Craft Timer and Scorer	1171563
1	GE Black, Small Fridge	S30C50KAU6
3	10' X 10' Tents (white poles, blue tops	
1	Toshiba TV/DVD/VCR Combo	Model #MW20FP1
MCRC Small Items from Lost and Found		
1	White Beats Headphones	Item #1
1	Black JLAB Headphones	#2
1	Silver Color "Man of God" Cross Necklace	#4
1	Gold Color Chain	#5
1	Gold Color Chain	#6
1	Gold Color Braided Chain	#7
1	Silver Color with Diamond Type Stone	#8
1	Gold Color, Daddy Loves You, Heart Necklace	#9
1	Silver Color Ring with Brown Inlay	#10
1	Navy Blue Watch with Black Band	#11
1	Black & Grey Timex Watch	#12
1	Black & Gold Color Rebirth Watch	#13
1	Black Sound Core Ear Bud Case	#14
1	Phone with Navy Case	#15
1	Black Tozo Wrap-Around Ear Buds	#16
1	Black JLAB Wrap-Around Ear Buds	#17
4	Empty White Airpod Cases	#18
1	White Ear Bud Case with 2 Ear Buds	#19
1	White Travelocity Ear Buds & Case (missing top)	#20
1	White Ear Bud Case with 2 Ear Buds	#21
3	White Ear Bud Cases with 1 Ear Bud in each	#22
1	Large Black Ear Bud Case	#23
1	Video Game Looking Ear Bud Case, empty	#24
2	Black Ear Bud Cases, empty	#25
1	White Skull Daddy Ear Bud Case, empty	#26
3	Single Ear Buds	#27
4	Ear Bud Cases, empty	#28
1	Black Panthers Ear Bud Case w/ 1 Ear Bud	#29
1	Silver Samsung Ear Bud Case w/ 2 Ear Buds	#30
2	Black JBL Ear Bud Cases w/ 2 Ear Buds in each	#31

2	Black Skullcandy Ear Bud Cases w/ 2 Ear Buds in each	#32
1	Blue Raycon Ear Bud Case w/ 2 Ear Buds	#33
1	Blue Ear Bud Case w/ 2 Ear Buds	#34
1	Walmart Gift Card w/ \$4.24 Balance	#35
1	Home Depot Gift Card - Balance Unknown	#36
1	Black Clip-On Microphone	#37

MPD Items

1	Speed Trailer, TLR #Shelby 5133
---	---------------------------------

MPD Forfeiture Property Prop #

1	All Terrain Shock Bike	17-019109-002
1	Bicycle	18-022549-006
1	Trek Bicycle	18-037178-001
1	Measuring Wheel	22-000704-001
1	Torin Service Jack	22-001770-013
1	PJ Operating Bag with Items	22-001770-042
1	Tommy Hilfiger Jacket	22-001770-045
1	Chain	22-003163-086
1	Kids Scooter	23-002847-006
1	Leak Barrier for Roofs	24-002076-001
1	Electric Scooter	24-002502-001
1	BMX Style Bike	24-002573-001
1	Rock Creek 18sp Bike	24-002767-006
1	Jet Fuel Hyper Bike	24-002804-001
1	Bucket of Misc. Tools	24-002952-001
1	Black & Red Bike	24-003045-001
1	Black Bicycle	24-003315-001
1	Hoverboard	24-003922-001
1	Hoverboard	24-003922-002
1	Razor Scooter	24-003922-003
1	Scooter	24-003922-004
1	Granite Peak Bike	24-003960-001
1	Schwinn Legacy Bike	24-003960-002
1	Road Master Bike	24-003964-001
1	Mongoose Bike	24-004269-001
1	Purple Huffy Bike	24-004356-004
1	Next Power Clime Bike	24-004395-001
1	Quicksilver Bike w/ Bag	25-001758-006
1	Black Mountain Bike	25-001947-001

Parks

1	Dewalt Mower 04-2021	1D0MK10719
1	Dewalt Mower 04-2021	1D01MK10490
6 pcs	Red Playground Slides	
3	Grind Rails	
1	See Saw	
6	Disc Golf Baskets	
4	Misc. Rolls of 4' Chain Link Fence	
1	Chainlink Gate	

1 Bunn Coffee Maker

Public Buildings

Misc. Furniture
Filing Cabinets

IT Department

1	PC - Dell Dimension 3000	Used/No Drive	
1	PC - Dell Optiplex 7050	Used/No Drive	HTLDJV2
1	PC - Lenovo	Used/No Drive	
1	PC - Dell PowerEdge T100	Used/No Drive	H80XRK1
1	Ipad - 1st Generation	Used	
8	Motion/Xplore/Zebra Tablets	Used	

Sanitation

1 2007 Nilfisk Alto Pressure Washer

Streets Department

1 20 Ton Shop Press
1 135 Gallon Tailgate Calcium Tank

ORDINANCE NO. 148-25

**AN ORDINANCE AMENDING SECTION 31.13 (1)(J) OF THE
SALARIES AND BENEFITS CODE OF THE CITY OF
MEDINA, OHIO RELATIVE TO VACATION.**

WHEREAS: Section 31.13 (1)(J) of the Salaries and Benefits Code of the City of Medina, Ohio presently reads as follows pertaining to Vacation:

- A. For employees hired after July 1, 2022, the Board of Control shall have the discretion to apply either of the above sections to them as determined by the Board.

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

SEC. 1: That Section 31.13 (1)(J) of the Salaries and Benefits Code of the City of Medina, Ohio shall be amended to read as follows pertaining to Vacation:

- A. For employees hired after ~~July 1, 2022~~ September 1, 2021, the Board of Control shall have the discretion to apply either of the above sections to them as determined by the Board.

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

ORDINANCE NO. 149-25

**AN ORDINANCE AMENDING ORDINANCE NO. 209-24,
PASSED NOVEMBER 25, 2024.** (Amendments to 2025 Budget)

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

SEC. 1: That Ordinance No. 209-24, passed November 25, 2024, shall be amended by the following additions:

<u>Account No./Line Item</u>	<u>Additions</u>
107-0110-53313 (donation)	50,000.00 *
106-0101-53315	100.00 *
104-0301-53313	238.75 *

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. 150-25

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OC-SMA LLC, OWNER OF MEDINA SUPPLY, TO ALLOW FOR PUBLIC PARKING ON PERMANENT PARCEL NOS. 028-19D-01-021 AND 028-19D-01-018, AND DECLARING AN EMERGENCY.

WHEREAS: Ordinance 146-23, passed September 11, 2023, authorized the Mayor to enter into an Agreement with OC-SMA LLC to allow parking at 230 East Smith Road; and

WHEREAS: The Agreement expires on October 3, 2025 and both parties wish to renew the Agreement.

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 an Agreement with OC-SMA LLC, owner of Medina Supply located at 230 East Smith Rd., aka Shelly Materials, to allow for public parking on Permanent Parcel Nos. 028-19D-01-021 and 028-19D-01-018.

SEC. 2: That a copy of the 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 set to expire on October 3, 2025; 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

AGREEMENT

ORD 150-25
Exh. A

This Agreement is hereby entered into this _____ day of _____, 2025, by and between the **CITY OF MEDINA**, an Ohio Municipal Corporation, located at 132 North Elmwood Avenue, Medina, Ohio 44256, (hereinafter referred to as "the City") and **OC-SMA LLC**, an Ohio Limited Liability Company, now known as Shelly Materials, Inc., an Ohio Corporation located at 2301 Progress Street, Dover, OH 44622 (hereinafter referred to as "Shelly Materials, Inc.").

WITNESSETH:

WHEREAS, Shelly Materials, Inc. is the owner of property located on South Broadway Street, Medina, Ohio, known as Permanent Parcel No. 028-19D-01-021 and property located at 230 East Smith Road, Medina, Ohio, known as Permanent Parcel No. 028-19D-01-018 (hereinafter referred to as "Properties"); and

WHEREAS, the City desires to use at grade hard surfaces for a parking lot area located on Permanent Parcel No. 028-19D-01-021 and Permanent Parcel No. 028-19D-01-018 (hereinafter referred to as "Parking Lot"); and

WHEREAS, the City desires to use the northwest corner of Permanent Parcel No. 028-19D-01-021 for park space (hereinafter referred to as "Park Space"); and

WHEREAS, the City desires to display artwork on the south and west sides of the existing 7,200 sq. ft. building located on Permanent Parcel No. 028-19D-01-021, (hereinafter referred to as "Building") and the west side of the concrete wall adjacent to the public sidewalk (hereinafter referred to as "Artwork"); and

WHEREAS, the City will not access, utilize, or maintain the Building except for the installation and maintenance of Artwork on the Building's south and west sides; and

WHEREAS, the City agrees to maintain the Parking Lot, Park Space, and Artwork for the term of this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements herein contained, the parties, the City and Shelly Materials, Inc., their successors and assigns, hereby covenant, promise, and agree as follows:

I. PREMISES

Shelly Materials, Inc. grants to the City the nonexclusive use and occupancy of the at grade hard surfaces for a Parking Lot, at grade and exterior elevated areas for Park Space, and sides of the Building and the concrete wall adjacent to the public sidewalk for Artwork display located on South Broadway Street, Medina, Ohio, known as Permanent Parcel No. 028-19D-01-021 and 230 East Smith Road, Medina, Ohio, known as Permanent Parcel No 028-19D-01-018. The extent of the premises is indicated in "Exhibit A".

The City shall use the Properties for a Parking Lot, Park Space, and Artwork display, and the Properties shall not be used for any other purposes whatsoever. Use of the Properties for a purpose not expressly permitted in this paragraph shall constitute a material breach of this Agreement. Shelly Materials, Inc. makes no representations that the Properties are suitable, in whole or in part, for the City's intended use. The City shall be solely responsible for assuring that the Properties are suitable for the City's intended purposes.

II. SITE ALTERATIONS

The City hereby agrees to be solely responsible to maintain a six (6) foot tall chain link fence along the east side of the Parking Lot and is authorized to remove fencing on the west side of the Parking Lot as shown in "Exhibit B".

The City agrees to be solely responsible to stripe the Parking Lot for designated parking spaces as approximately shown in Exhibit B, subject to necessary adjustments.

The City shall be permitted to install signage to identify the Parking Lot, provide traffic control, and install exterior lighting.

The City shall be permitted to locate furniture, planters, freestanding artwork, and other similar items in the Park Space, a concept of which is shown in "Exhibit C".

The City shall be permitted to install Artwork on the south and west sides of the Building and the west side of the concrete wall adjacent to the public sidewalk, a concept of which is shown in Exhibit C.

No additional alterations shall be made to the property except as required for purposes of maintenance and as set forth in this Agreement unless mutually agreed upon by the City and Shelly Materials, Inc.

III. MAINTENANCE

The City hereby agrees to be solely responsible for all maintenance of the Parking Lot, Park Space, and Artwork including adjacent sidewalk areas, so as to keep the property in good condition during the term of this Agreement. Shelly Materials, Inc. shall not be responsible for any maintenance needs with respect to the Parking Lot, Park Space, and Artwork, including if they should occur. The City's obligation to maintain the Parking Lot, Park Space, and Artwork includes, but is not limited to, snow removal, deicing, crack repair, resurfacing, and striping of parking spaces.

The City represents and warrants that prior to entering into this Agreement it had an opportunity to inspect the Property and conduct any due diligence it desires with regard to the Property, and the City finds the Property suitable for its purposes. **THE CITY ACCEPTS THE PROPERTY AS OF THE DATE OF POSSESSION, "AS-IS", "WHERE IS", AND "WITH ALL FAULTS"**.

Shelly Materials, Inc. hereby agrees to be solely responsible for all maintenance of the Building.

IV. TERM

The term of this Agreement shall be valid commencing on the date of full execution of this Agreement and end on the date two (2) years from the date of full execution of this Agreement.

This Agreement shall be extended with mutual agreement of both the City and Shelly Materials, Inc. within six (6) months from the end of this Agreement.

V. UTILITIES

The City of Medina shall be responsible for all utility costs with respect to the Parking Lot and Park Space. Shelly Materials, Inc. shall be responsible for all utility costs with respect to the Building.

VI. REAL ESTATE TAXES

Shelly Materials, Inc. agrees to remain solely responsible for the payment of real estate taxes on the subject property pursuant to the terms of the Land Installment Contract.

VII. RISK OF LOSS AND INSURANCE

The City agrees to primary responsibility for damage and/or injury to person or property proximately caused by use of the subject Parking Lot and Park Space during the term of this Agreement. The City shall maintain, during the entire term of this Agreement, liability insurance coverage covering the City's use of the subject property in the amount of One Million Dollars (\$1,000,000). To the extent permissible under Ohio law and to the extent of the City's insurance liability coverage, the City agrees to indemnify, hold harmless, and defend the Shelly Company from and against any and all liability, losses, damages, costs, and expenses, including reasonable attorneys' fees, incurred in connection with any claim, suit, proceeding, inquiry, or investigation based upon or relating to any use of the Parking Lot or Park Space after the commencement date of this Lease and while the City is in possession of or has the right to possession of the Parking Lot or Park Space pursuant to this Lease.

The City understands and agrees that any vehicles parked or stored by the City, or others with the City's permission, on the Property are stored at the City's own risk. Shelly Materials, Inc. cannot and does not ensure the safety of items stored by the City or others as permitted by the City. The City assumes the risk of loss to the City's property or the property of others as permitted by the City due to vandalism, theft, malicious mischief, unauthorized use, fire, collision, natural elements, acts of God or any other cause whatsoever. Shelly Materials, Inc. has provided no security against risks of loss to the City's property, or the property of others, against injury to the person of the City or the City's employees, agents, invitees, and guests. Thus, Shelly Materials, Inc. shall not be liable for any injury or damage to the City or any person or to any property at any time on the Property from any cause whatsoever. The City expressly assumes the risk of any loss to the City's property from any of the causes whatsoever and the City understands and agrees that lack of security shall not be deemed negligence on the part of Shelly Materials, Inc. Further, the City hereby releases Shelly Materials, Inc. from any such liability for damages and hereby waives any claim for damages arising out of the use of the Property and agrees to hold harmless Shelly Materials, Inc. from any claim or demand arising out of the use of the Property, including but not limited to costs of

investigation, settlement, litigation, attorney fees, and expert witness fees, whether such claim involves an allegation of Shelly Materials, Inc.'s negligence in whole or in part. The City assumes the responsibility for and will undertake to secure its property from all risks.

VIII. TERMINATION

This Agreement may only be terminated by any party for reasons of just cause or as agreed upon by the parties or as agreed upon by a court of law should the matter of termination be an issue that is not agreed upon as between the parties. In any event, this Agreement shall terminate at the expiration of the term described herein above in Section IV.

IX. NOTICES

All notices which may be proper and necessary to be served hereunder shall be in writing and shall be served by personal delivery or by certified mail. Any such correspondence shall be sent to the following addresses:

To the City:

Office of the Mayor
City of Medina
132 North Elmwood Avenue
Medina, OH 44256

To Shelly Materials, Inc.:

Shelly Materials, Inc.
ATTN: Dustin Miller
2301 Progress Street
Dover, OH 44622

X. FORCE MAJEURE

Neither City nor Shelly Materials, Inc. shall be deemed to be in breach of this Agreement by reason of failure to perform any of its obligations hereunder if, while and to the extent that such failure is due to strikes, boycotts, labor disputes, embargoes, shortages of materials, acts of God, acts of the public enemy, acts of government authority, weather conditions, floods, riots, rebellion, sabotage, or any other circumstance for which it is not responsible and which are not within its control; provided that this provision shall not prevent either party from exercising its right of termination under this agreement.

Signed in the presence of:

**CITY OF MEDINA,
an Ohio Municipal Corporation**

By: _____
DENNIS HANWELL, Mayor

STATE OF OHIO)
)ss:
COUNTY OF MEDINA)

Before me, a Notary Public in and for said County and State, personally appeared the above-named City of Medina, an Ohio municipal corporation, by Dennis Hanwell, its Mayor, who executed the foregoing instrument in my presence and acknowledged the same to be the voluntary act of said City and his voluntary act individually and as such officer.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal at Medina, Ohio, this _____ day of _____, 2025.

NOTARY PUBLIC

Signed in the presence of:

**OC-SMA LLC, an Ohio Limited Liability
Company, now known as Shelly Materials, Inc.,
an Ohio Corporation**

By: _____
DUSTIN MILLER, Vice President and General
Manager

STATE OF OHIO)
)
COUNTY OF MEDINA)ss:

Before me, a Notary Public in and for said County and State, personally appeared the above-named Shelly Materials, Inc. by Dustin Miller, its Vice President and General Manager, who executed the foregoing instrument in my presence and acknowledged the same to be the voluntary act of said company and his voluntary act individually and as such officer.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal at Medina, Ohio,
this _____ day of _____, 2025.

NOTARY PUBLIC

Document & Form Approved by:

GREGORY A. HUBER, Law Director
City of Medina

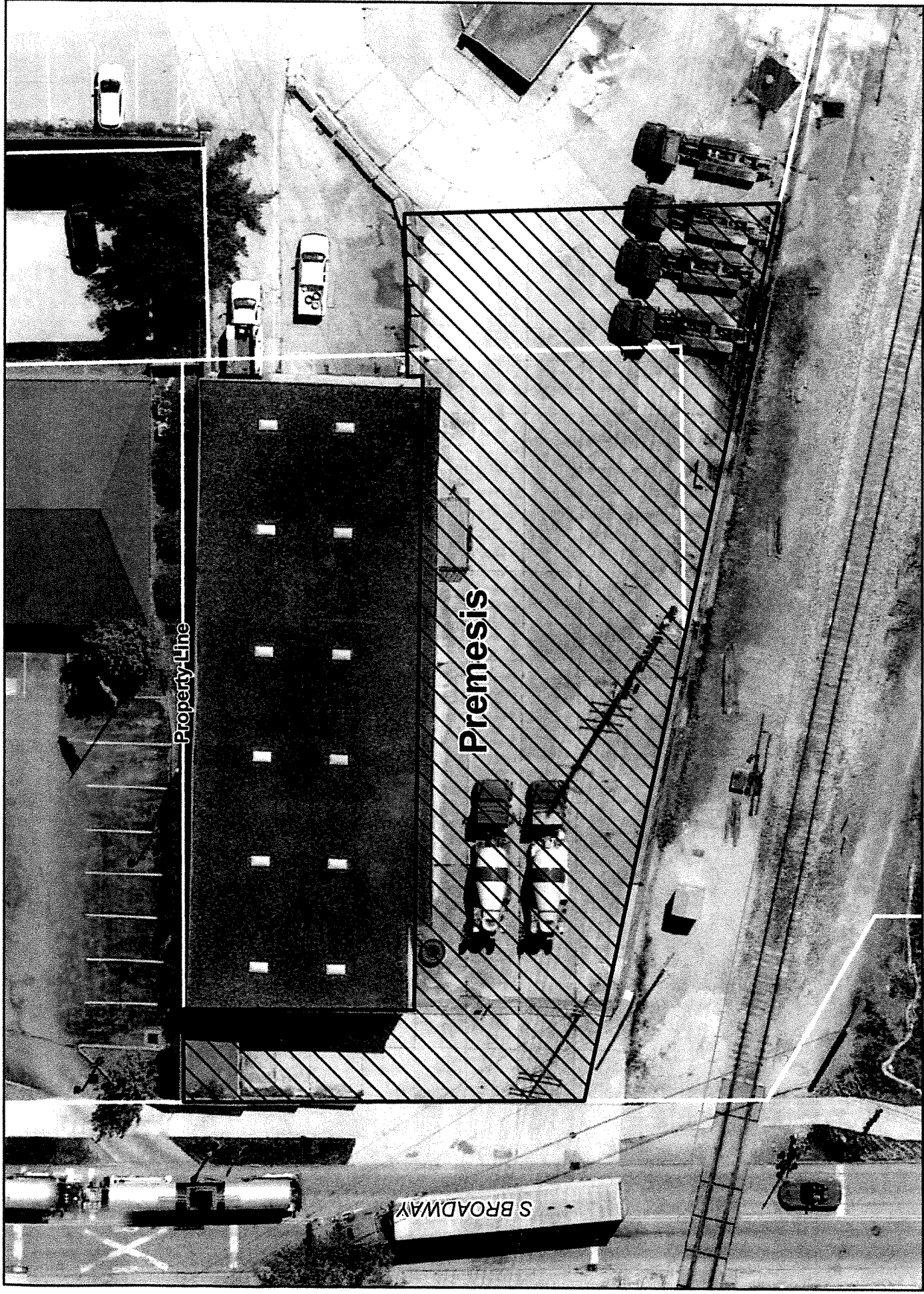
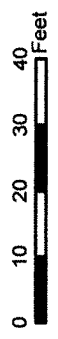


Exhibit A





S Broadway St Activation

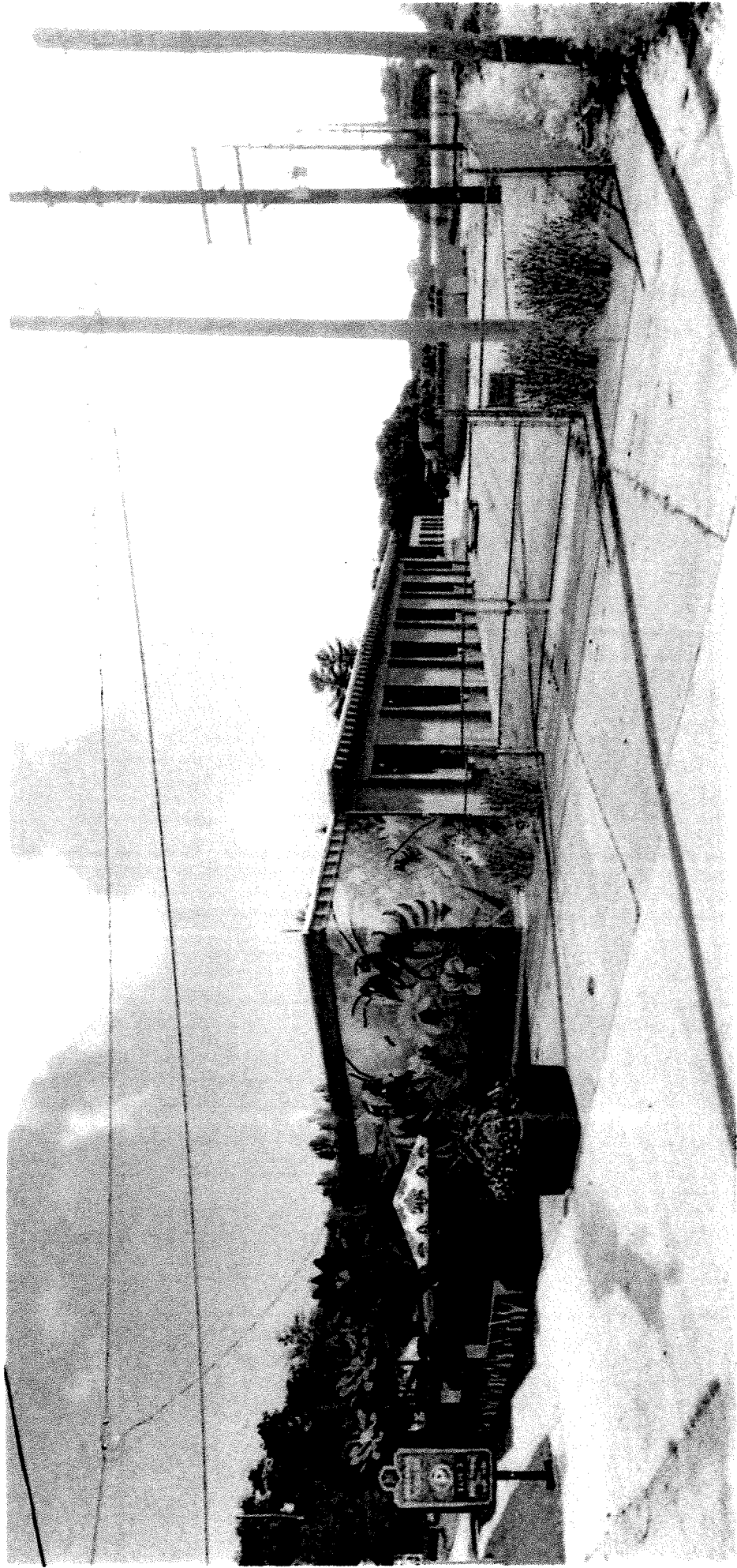


Exhibit C

ORDINANCE NO. 151-25

AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT TWO (2) TEMPORARY EASEMENTS NECESSARY FOR THE PROSPECT STREET BRIDGE PROJECT, AND DECLARING AN EMERGENCY.

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

- SEC. 1:** That the Mayor is hereby authorized to accept two (2) Temporary Easements necessary for the Prospect Street Bridge Project.
- SEC. 2:** That the Temporary Easement for 503 W. Smith Road (\$300.00), located on Permanent Parcel No. 028-19A-21-322 is marked Exhibit A, attached hereto and incorporated herein.
- SEC. 3:** That the Temporary Easement for 290 S. Prospect Street (\$388.00), located on Permanent Parcel No. 028-19A-21-315 is marked Exhibit B, attached hereto and incorporated herein.
- SEC. 4:** That the funds to cover the easements, in the amount of \$688.00 are available in Account No. 108-0610-54411.
- 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 considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to get the easements recorded and not delay the project; 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

TEMPORARY EASEMENT

*ORD. 151-25
Exh. A*

Korby L. Spielberger and Shari Spishak-Spielberger, married, the Grantor(s), in consideration of the sum of \$300.00, to be paid by the City of Medina, the Grantee, do grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 1-T

MED-MR-262.0.29 (PROSPECT ST.) PID: 120265

SEE EXHIBIT A ATTACHED

Medina County Current Tax Parcel No. 028-19A-21-322


Prior Instrument Reference: Instrument No. 2022OR022717, Medina County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 12 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

IN WITNESS WHEREOF Korby L. Spielberger And Shari Spishak-Spielberger have
hereunto set their hands on the 24 day of June, 2025

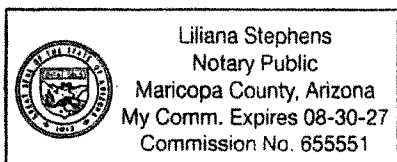

Korby L. Spielberger

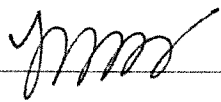

Shari Spishak-Spielberger

ARIZONA MARICOPA
STATE OF ~~OHIO~~, COUNTY OF ~~MEDINA~~ SS:

BE IT REMEMBERED, that on the 24 day of June, 2025, before me
the subscriber, a Notary Public in and for said state and county, personally came the above
named Korby L. Spielberger And Shari Spishak-Spielberger who acknowledged the foregoing
instrument to be their voluntary acts and deeds. No oath or affirmation was administered to
Korby L. Spielberger And Shari Spishak-Spielberger with regard to the notarial act.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official
seal on the day and year last aforesaid.




NOTARY PUBLIC
My Commission expires: 8/30/27

This document was prepared by: The City of Medina

EXHIBIT A

JD

Page 1 of 2

Rev. 07/09

LPA RX 887 T

Ver. Date 02/10/2025

PID 120265

**PARCEL 1-T
MED-MR-262-0.29 (PROSPECT)
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
GRADE
FOR 12 MONTHS FROM DATE OF ENTRY BY THE
CITY OF MEDINA, MEDINA COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Medina, City of Medina, located within Original Medina Township, Township 3 North, Range 14 West of the Connecticut Western Reserve and being part of Lot 316 as shown on Blakes Addition to the Original Plat of Medina in Plat Book 1 page 9 and described in a deed to Korby L. Spielberger and Shari Spishak-Spielberger in Doc. No. 2022 OR022717 (All records are on file at the Recorder's Office, Medina County, Ohio), lying on the left side of the centerline of right of way of Prospect Street and said parcel being more fully described as follows:

Beginning at the northeasterly corner of said Lot 316, the southeasterly corner of Lot 311 of said Blakes Addition and being on the westerly right of way of Prospect Street, having a Sta. 102+99.01 ~ 30.36 feet left of the centerline of Prospect Street as shown in MED-MR-262-0.29 (Prospect) Right of Way plans prepared by ms consultants, inc. for the City of Medina and the Ohio Department of Transportation;

Thence South 00° 09' 00" West, following the westerly right of way of Prospect Street and the easterly line of said Lot 316, for a distance of 32.61 feet to Sta. 102+66.40 ~ 30.36 feet left;

Thence North 89° 51' 00" West, passing through said Lot 316, for a distance of 10.00 feet to Sta. 102+66.40 ~ 40.36 feet left;

Thence North 00° 09' 00" East, continuing through said Lot 316, for a distance of 32.52 feet to the northerly line of said Lot 316 and the southerly line of said Lot 311, having a Sta. 102+98.93 ~ 40.36 feet left;

Thence North 89° 38' 36" East, following the line thereof, for a distance of 10.00 feet to the **Beginning**, and containing 326 square feet or 0.007 acres of land, more or less, in Medina County Auditor Parcel Number 028-19A-21-322, of which Present Road Occupied is 0.000 square feet.

EXHIBIT A

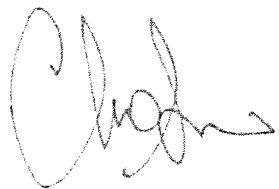
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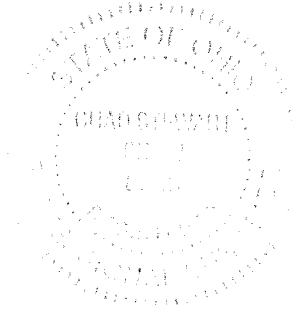
Page 2 of 2

Rev. 07/09

North for the above description is based on the Ohio County Coordinate System Medina LDP and referenced to the North American Datum of 1983 (2011) determined by GPS Observations on May 29, 2024.

The above description was prepared under the direction and supervision by Chad S. Snow, Registered Professional Surveyor No. 8559 and is based on an actual field survey performed by ms consultants, inc. in May and June 2024.

 3/15/25



TEMPORARY EASEMENT

*ORD. 151-25
Exh. B*

Bruce H. Bauer Revocable Trust Agreement, unmarried, the Grantor(s), in consideration of the sum of \$388.00, to be paid by the City of Medina, the Grantee, do grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 4-T

MED-MR-262.0.29 (PROSPECT ST.) PID:120265

SEE EXHIBIT A ATTACHED

Medina County Current Tax Parcel No. 028-19A-21-315

Prior Instrument Reference: Instrument Numbers 2010OR008421 & 2010OR008422 and 2025OR011588, Medina County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 12 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

IN WITNESS WHEREOF Bruce H. Bauer Revocable Trust Agreement have hereunto set his hands on the 18th day of July, 2025.

Bruce H. Bauer Trustee
BRUCE H. BAUER, TRUSTEE

STATE OF OHIO, COUNTY OF MEDINA. SS:

BE IT REMEMBERED, that on the 18th day of July, 2025, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Bruce H. Bauer Revocable Trust Agreement who acknowledged the foregoing instrument to be his voluntary acts and deeds. No oath or affirmation was administered to Bruce H. Bauer Revocable Trust Agreement with regard to the notarial act.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Mark Roberts
MARK O. ROBERTS

NOTARY PUBLIC

My Commission expires: 10/14/25

This document was prepared by: the City of Medina

EXHIBIT A

LPA RX 887 T

JD

Page 1 of 2

Rev. 07/09

Ver. Date 02/10/2025

PID 120265

**PARCEL 4-T
MED-MR-262-0.29 (PROSPECT)
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
GRADE
FOR 12 MONTHS FROM DATE OF ENTRY BY THE
CITY OF MEDINA, MEDINA COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Medina, City of Medina, located within Original Medina Township, Township 3 North, Range 14 West of the Connecticut Western Reserve and being part of Lot 401 as shown in Medina 1898 Plat Book M page 7 and described in a deed to Sally J. Bauer and Bruce H. Bauer Co-Trustees of the Sally J. Revocable Trust Agreement Dated April 26, 2010 in Doc. No. 2010 OR008422 (All records are on file at the Recorder's Office, Medina County, Ohio), lying on the right side of the centerline of right of way of Prospect Street and said parcel being more fully described as follows:

Commencing at the southwesterly corner of said Lot 401, and being the intersection of the northerly right of way of W. Smith Road and the easterly right of way of Prospect Street, having a Sta. 101+64.64 ~ 29.70 feet right of the centerline of Prospect Street as shown in MED-MR-262-0.29 (Prospect) Right of Way plans prepared by ms consultants, inc. for the City of Medina and the Ohio Department of Transportation;

Thence North 00° 09' 00" East, following easterly right of way of Prospect Street and the westerly line of said Lot 401, for a distance of 80.06 feet to Sta. 102+44.70 ~ 29.70 feet right and being the **True Place of Beginning** of the parcel herein described;

Thence North 00° 09' 00" East, continuing along the line thereof, for a distance of 79.60 feet to the southerly line of the Wheeling & Lake Erie Railroad, having a Sta. 103+24.30 ~ 29.70 feet right;

Thence South 77° 22' 09" East, passing through said Lot 401 and following the southerly line of said Railroad, for a distance of 8.19 feet to a point having a Sta. 103+22.53 ~ 37.70 feet right;

Thence South 00° 09' 00" West, passing through said Lot 401, for a distance of 77.83 feet to a point having a Sta. 102+44.70 ~ 37.70 feet right;

EXHIBIT A

LPA RX 887 T

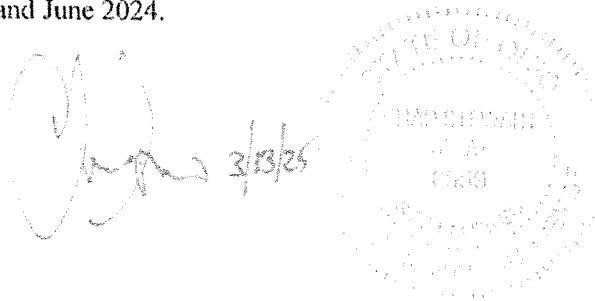
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Thence North $89^{\circ} 51' 00''$ West, continuing through said Lot 401, for a distance of 8.00 feet to the **True Place of Beginning**, and containing 630 square feet or 0.014 acres of land, more or less, in Medina County Auditor Parcel Number 028-19A-21-315, of which Present Road Occupied is 0.000 square feet.

North for the above description is based on the Ohio County Coordinate System Medina LDP and referenced to the North American Datum of 1983 (2011) determined by GPS Observations on May 29, 2024.

The above description was prepared under the direction and supervision by Chad S. Snow, Registered Professional Surveyor No. 8559 and is based on an actual field survey performed by ms consultants, inc. in May and June 2024.

 3/13/25

ORDINANCE NO. 152-25

AN ORDINANCE AMENDING SECTION 31.02 (B)(6) OF THE SALARIES AND BENEFITS CODE OF THE CITY OF MEDINA, OHIO RELATIVE TO THE MEDINA MUNICIPAL COURT GRANT POSITIONS, AND REPEALING ORDINANCE NO. 132-25, PASSED AUGUST 25, 2025, AND DECLARING AN EMERGENCY.

WHEREAS: Section 31.02 (B)(6) of the Salaries and Benefits Code of the City of Medina, Ohio presently reads as follows pertaining to the Medina Municipal Court Grant Positions:

(6) MUNICIPAL COURT GRANT POSITIONS

	<u>Hourly Rate</u>
1 Intensive Supervision Probation Officer* Part Time	7 A-F
1 Probation Officer/Group Facilitator**	\$30.64/hr. – January 2025

*Positions effective July 1, 2023 to June 30, 2025.

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

SEC. 1: That Section 31.02 (B)(6) of the Salaries and Benefits Code of the City of Medina, Ohio shall be amended to read as follows pertaining to the Medina Municipal Court.

(6) MUNICIPAL COURT GRANT POSITIONS

	<u>Hourly Rate</u>
1 Intensive Supervision Probation Officer* Part Time	7 A-F
1 Probation Officer/Group Facilitator**	\$30.64/hr. – January 2025 7 A-F – Beginning January 2026

*Positions effective ~~July 1, 2023 to June 30, 2025~~ July 1, 2025 to June 30, 2027 (Ord. 152-25)

SEC. 3: That Ordinance No. 132-25, passed August 25, 2025 is hereby repealed.

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 the grant is currently in effect; 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