

**CITY OF MEDINA
AGENDA FOR COUNCIL MEETING**

October 14, 2025 (Tuesday)
Medina City Hall – Council Rotunda
7:30 p.m.

Public Hearing.

To consider an amendment to assign a zoning of P-F (Public Facilities) to a 0.1408 acre right-of-way located east of 606 East Washington Street, St. Francis Xavier Church, which is proposed to be vacated.

Call to Order.

Roll Call.

Reading of minutes. (September 22, 2025)

Reports of standing committees.

Requests for council action.

Reports of municipal officers.

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. 158-25, Ord. 159-25, Ord. 160-25, Res. 161-25, Res. 162-25, Ord. 163-25, Ord. 164-25, Ord. 165-25, Ord. 166-25, Ord. 167-25, Ord. 168-25, Ord. 169-25, Ord. 170-25, Ord. 171-25

Ord. 158-25

An Ordinance vacating a portion of real estate on East Washington Street to the Bishop of the Cleveland Diocese.

Ord. 159-25

An Ordinance assigning a zoning of P-F (Public Facilities) to a 0.1408 acre Right-of-Way located east of 606 East Washington Street, St. Francis Xavier Church.

Ord. 160-25

An Ordinance authorizing the Mayor to solicit Requests for Proposals (RFP's) for Drug Screening and associated professional services for the employees of the City of Medina.

Res. 161-25

A Resolution authorizing the transfer of certain funds remaining in the Special Assessment Bond Retirement Fund (#418) no longer needed for the purposes for which they were established to the Special Assessment Projects Fund (#428) of the City of Medina as per Ohio Revised Code 5705.14(C)(1), to authorize and direct the Finance Director to file an application in the Medina County Court of Common Pleas for approval of said transfer.

Res. 162-25

A Resolution in support of the Medina County Park District Levy Renewal and Increase.

Ord. 163-25

An Ordinance determining to create and govern a Cybersecurity Policy in accordance with the Auditor of the State of Ohio's Guidelines.

Ord. 164-25

An Ordinance authorizing the expenditure of \$60,000 to Lake County Sewer Co. for the Street Department.

Ord. 165-25

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for a one year supply of the various kinds of maintenance material needed for the streets and water lines, including but not limited to salt, the chemicals for use in the treatment of water, and water meters to be used by the various departments of the City of Medina, Ohio.

Ord. 166-25

An Ordinance authorizing the Mayor to advertise for competitive bids and to award a contract to the successful bidder for Job #1160, Blake Avenue Reconstruction.

Ord. 167-25

An Ordinance authorizing the Mayor to execute a Memorandum of Understanding with the Medina County Board of Commissioners pertaining to the Blake Avenue Reconstruction Project.

Ord. 168-25

An Ordinance authorizing the Mayor to execute a Preliminary Engineering Agreement between the Wheeling and Lake Erie Railway Company and the City of Medina, Ohio pertaining to the Blake Avenue Reconstruction Project.

Ord. 169-25

An Ordinance amending Ordinance No. 97-25, passed May 12, 2025, pertaining to Job #1151, US 42 Resurfacing Project.

Ord. 170-25

An Ordinance authorizing the Mayor to accept three Sanitary Sewer Easements on South Court Street.

Medina City Council
October 14, 2025 (Tuesday)

Ord. 171-25

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

Council comments.

Adjournment.

Call to Order:

Medina City Council met in regular session on Monday, September 22, 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, Patrick Patton, Dan Gladish, Chief Walters, Brian Wagner, 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 September 8, 2025 as modified 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 three weeks on a Tuesday, October 14th after the holiday.

Public Properties Committee: Mr. Shields had no report.

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

Special Legislation Committee: Mr. Rose had no report.

Streets & Sidewalks Committee: Ms. Haire had no report but commented on getting messages from constituents on our busy roads and would like to work with the Clerk, community members and administration to set up a meeting in the near future to discuss those issues.

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

Emerging Technologies Committee: Ms. DiSalvo is planning to schedule a meeting in October to review the launch for the new website for the City of Medina.

Requests for Council Action:

Finance

25-181-9/22 – Zoning Map Amendment – Professional Building

25-182-9/22 – Resolution of Support – Medina County Park District Proposed Levy

25-183-9/22 – Electric Aggregation Program

25-184-9/22 – Expenditure – Lake County Sewer Co. – Street Dept.

25-185-9/22 – 2026 Material Bids

25-186-9/22 – Bids, Job #1160 Blake Avenue Reconstruction

25-187-9/22 – MOU w/ Medina County – Job 1160 Blake Ave. Reconstruction

25-188-9/22 – Preliminary Agreement w/ Wheeling & Lake Erie RR – Blake Avenue

25-189-9/22 – Amend Ord. 97-25 – Bids for Job #1151 US 42 Resurfacing
25-190-9/22 – Accept Easements – 549 S. Court St.

Reports of Municipal Officers:

Dennis Hanwell, Mayor, expressed a Happy Anniversary to Patrick and Kathy Patton.

Reported the following Square events:

Farmer's Market 9 a.m. to 1 p.m. May 17th thru October 4th.

Annual Suicide Prevention Walk by Alternative Paths was September 21st, 12 p.m. – 3:30 p.m.

American Cancer Society Lights of Hope September 26th, 6 p.m. – 8 p.m.

Medina Fall Festival is Saturday, September 27th, 10 a.m. – 2 p.m.

Scouting America Outdoor Cooking Expo September 28th, 12 p.m. – 3 p.m.

Main Street Medina Cars and Coffee October 12th, 8 a.m. – 12 p.m.

Keith Dirham, Finance Director, had no report.

Greg Huber, Law Department, had no report.

Kimberly Marshall, Economic Development Director, was absent.

Chief Kinney, Police Department, had no report.

Nino Piccoli, Service Director, Nino congratulated the Patton's on their anniversary of 35 years. City Auction is on Saturday, October 25th at the city garage located at 781 W. Smith Rd. 10 a.m. start with 9 a.m. preview. The leaf program is looking at starting the second week in October depending on leaf fall.

Patrick Patton, City Engineer, reported that the waterline project was completed on W. Liberty and S. Elmwood & W. Washington. Patrick thanked everyone for their cooperation. Pavement markings still need to be completed in the next week or two depending on weather.

Chief Walters, Fire Department, had no report.

Andrew Dutton, Community Development Director, stated the city is seeking an individual to join the Board of Zoning Appeals as an alternate member. The board is made with entirely Medina City residents and plays a crucial role in reviewing applications for variances and zoning appeals. Application deadline is October 3rd, to apply go to www.medinaoh.org/city-hall/planning-zoning

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

Dan Gladish, Building Official, had no report.

Notices, communications and petitions

There were none.

Unfinished Business

There is none.

Introduction of visitors

Andrew West resides at 661 W. Sturbridge and is a current School Board member. Andrew has concerns for the children in the AI Root school area with a lot of cars driving through stop signs, Semi trucks going through red lights at Sturbridge and SR3 and it happens frequently. Electric scooters and bikes are another concern as he has seen kids up and down Sturbridge well in excess of the speed limit.

Brian Dries resides at 1246 Ty Drive spoke on September 11th two young women from the city decided they were compelled to honor someone that shook their political beliefs. Initially they thought this would be a small gathering on the square. Brian thanked Mayor Hanwell and his guidance in organizing this event. Special shout out to Chief Kinney for having eyes on the crowd. Brian thanked the people who may not have agreed with that message and either chose not to come or chose to protest peacefully and silently. No issues reported. Proud of City.

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: Ord. 153-25, Ord. 154-25, Ord. 155-25, Ord. 156-25, Res. 157-25. 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.

Ord. 153-25

An Ordinance authorizing the expenditure of \$5,000.00 to the Medina County Society for the Prevention of Cruelty to Animals (SPCA) for the Medina Meow Fix Trap Neuter and Release Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 153-25 as amended, seconded by Mr. Simpson. Mr. Rose stated the SPCA is willing to work with the Medina Meow Fix Trap Neuter and Release program. SPCA requires all requested paperwork be submitted and professional behavior at all times or the unused funds will be returned to the City. Mr. Coyne stated this program was in existence for two years prior with the same amount of contributions from the City of Medina with success and making an impact. The roll was called and Ordinance/Resolution No. 153-25 passed by the yea votes of D. Simpson, J. Coyne, N. DiSalvo, R. Haire, P. Rose, J. Shields and C. Simmons.

Ord. 154-25

An Ordinance authorizing the Mayor to enter into Task Order #2 to the Agreement with Delta Airport Consultants, Inc. for professional services at the Medina Municipal Airport, relative to the Airport DBE Program & Goal. Mr. Shields moved for the adoption of Ordinance/Resolution No. 154-25, seconded by Mr. Simpson. Patrick stated they utilize a lot of FAA funds for a lot of projects at the airport. The FAA has a requirement that we have to update our DBE Program every three years and this is what this request is for and FAA does pay 95% of the cost of this update. The roll was called and Ordinance/Resolution No. 154-25 passed by the yea votes of J. Coyne, N. DiSalvo, R. Haire, P. Rose, J. Shields, C. Simmons and D. Simpson.

Ord. 155-25

An Ordinance authorizing the Mayor to accept two (2) Temporary Easements necessary for the Prospect Street Bridge Project. Mr. Shields moved for the adoption of Ordinance/Resolution No. 155-25, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 155-25, seconded by Mr. Simpson. Patrick stated they needed a total of four (4) easements to complete the Prospect Street Bridge Project and we already acquired two (2) and this is for the remainder two (2). The emergency clause is requested as this needs to be recorded as soon as possible. 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. 155-25 passed by the yea votes of R. Haire, P. Rose, J. Shields, C. Simmons, D. Simpson, J. Coyne, and N. DiSalvo.

Ord. 156-25

An Ordinance authorizing the purchase of one (1) 2025 Ford F-150 Pick Up Truck and one (1) 2026 Ford F-250 Crew Cab Pick Up from Montrose Ford, to be used by the Street Department. Mr. Shields moved for the adoption of Ordinance/Resolution No. 156-25, seconded by Mr. Simpson. Nino explained that the F-150 will replace a 2008 GMC 1500 and the F-250 will replace a 2011 GMC. The roll was called and Ordinance/Resolution No. 156-25 passed by the yea votes of P. Rose, J. Shields, C. Simmons, D. Simpson, J. Coyne, N. DiSalvo, and R. Haire.

Res. 157-25

A Resolution accepting the donation of a Universal Changing Table from Foundations Worldwide, Inc. and signage donation from the Medina County Board of Developmental Disabilities for the Medina Community Recreation Center. Mr. Shields moved for the adoption of Ordinance/Resolution No. 157-25, seconded by Mr. Simpson. Mr. Wehrley stated they had discussions earlier this year with the MCBDD about putting in an adult changing table in one of the family changing rooms at the rec center and this was donated and valued at \$10,500. Signage to be provided by the Medina County Board of Developmental Disabilities and collaboratively with the Medina City school maintenance team and will get that installed. Mr. Shields thanked the rec center for taking the lead on this and it's a very generous gift and a great collaboration to come together to get this done. The roll was called and Ordinance/Resolution No. 157-25 passed by the yea votes of J. Shields, C. Simmons, D. Simpson, J. Coyne, N. DiSalvo, R. Haire and P. Rose

Council comments

Mr. Simpson – Be kind to one another. As a society we need to demand from our elected officials from all governments that they speak with respect of people.

Ms. Haire – Regi expressed that she doesn't like to be political at the end of council meetings as she likes to keep things informative and light but now feels compelled in light of what is going on in our society. Nation is divided, divisiveness is everywhere and sad to say it includes our City of Medina. Hot topic is free speech. Regi is running for reelection to keep Ward 3 Council seat and has signs in her own yard for herself and others that are running. Last night, half of her yard signs were taken down, damaged and even destroyed. This is not the first time this has happened. Who ever is doing this please stop. She stated she absolutely believes in free speech for everyone. It

should not be acceptable in our county to have the mentality of free speech for me but not for thee. She will now be getting security cameras for her property. This is something she never thought she would have to do in this community. As a society we need to do better, be better. Stop the hypocrisy, the hatred and the violence and be kind and respectful to others even if they don't agree with us and protect and support the constitution and everyone's peaceful right to free speech.

Ms. DiSalvo – agreed with Mr. West and his frustration with motor scooters on the streets that do not follow the same traffic regulations and she is very concerned. Please do your best to watch out for our students that are walking to school.

Mr. Rose – agreed with Regi, we need to cool the rhetoric. Paul stated he disagrees 100% with destroying political signs in yards. All the rhetoric from Washington especially from a few individuals who like to hear themselves talk is a contributing factor to Charlie Kirks death. He stated he feels there should be prayer back in school. People are no longer being nurtured they way they should be to be able to make those decisions for themselves later on in life. Need to get back to those basics. Northeast Ohio Classical Academy in Copley is recommended by Paul and is a tuition free charter school.

Adjournment.

There being no further business, the meeting was adjourned at 7:59 p.m.

Kathy Patton, Clerk of Council

John Coyne III, President of Council

ORDINANCE NO. 158-25

AN ORDINANCE VACATING A PORTION OF REAL ESTATE ON EAST WASHINGTON STREET TO THE BISHOP OF THE CLEVELAND DIOCESE.

WHEREAS: Ordinance No. 138-87, passed December 14, 1987 vacated a portion of real estate on East Washington Street and accepted a Dedication Plat of real estate on East Washington Street for street and all other utility purposes; and

WHEREAS: St. Francis Xavier Church has requested that the 0.1408 acre right-of-way be vacated and transferred back to the church as "The Bishop of the Cleveland Diocese"; and

WHEREAS: The Planning Commission reviewed this request and unanimously recommended approval of the request at their regular meeting on August 14, 2025.

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

SEC. 1: That the portion of East Washington Street as shown on Exhibit A, attached hereto and incorporated herein, is hereby vacated.

SEC. 2: That the Vacation Plat, vacating the 25 ft. wide right-of-way, part of Outlot 2 in original Medina Township Lot 79, shall be signed and recorded with the Medina County Recorder's Office.

SEC. 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

SEC. 4: That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORD 158-25
Exh. A

ORD 158-25 Exh. A

VACATION PLAT IN THE CITY OF MEDINA, VACATING A 25' WIDE RIGHT OF WAY PART OF OUTLOT 2 IN ORIGINAL MEDINA TWP. LOT 79, NOW IN THE CITY OF MEDINA, OHIO.

ACCEPTED BY THE CITY OF MEDINA BY CITY COUNCIL AT ITS
REGULAR MEETING HELD ON THE _____ DAY OF _____, 2025.
ORDINANCE NO. _____
PRESIDENT OF COUNCIL _____ CLERK OF COUNCIL _____
APPROVED BY THE MEDINA CITY PLANNING COMMISSION
THIS _____ DAY OF _____, 2025.

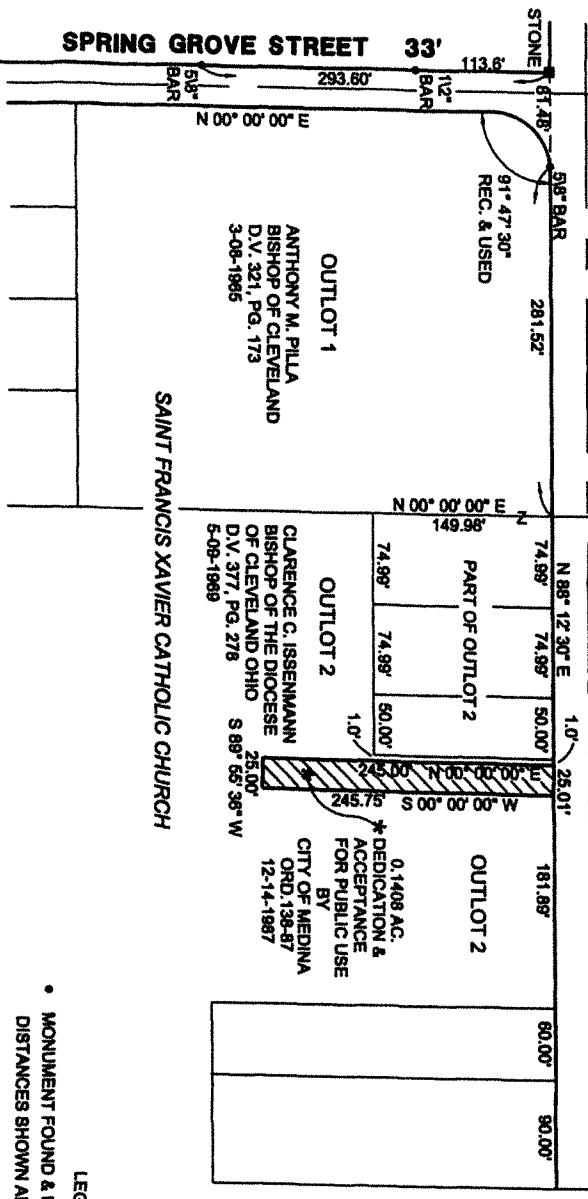
APPROVED BY THE MEDINA CITY ENGINEER
THIS _____ DAY OF _____, 2025.
PATRICK PATTON, P.E.
CITY ENGINEER

APPROVED THIS _____ DAY OF _____, 2025.
TAX MAP ASSOCIATE _____
RECEIVED FOR TRANSFER THIS _____ DAY OF _____, 2025.
MEDINA COUNTY AUDITOR _____

RECEIVED AND RECORDED THIS _____ DAY OF _____, 2025.
AT _____ A.M. / P.M. IN PLAT DOC # _____
FEE \$ _____

EAST WASHINGTON STREET S.R. 18 60'

MEDINA COUNTY RECORDER



RIGHT OF WAY AREA TO BE VACATED TO
THE BISHOP OF THE CLEVELAND DIOCESE

0.1408 ACRES NEW P.P.# _____

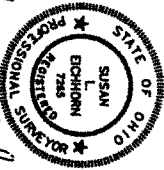


LEGEND

- MONUMENT FOUND & USED, UNLESS OTHERWISE NOTED.
DISTANCES SHOWN ARE RECORD & USED

REFERENCES: MEDINA COUNTY ENGINEERS SURVEY BOOKS
P-78A, K-23, K-140.

BASIS OF BEARINGS: ASSUMED N 00° 00' 00" E
ALONG WEST RW LINE OF SPRING GROVE STREET.



Susan L. Eichhorn
SUSAN L. EICHORN P.S. 7285
24024 MAY 2024

ORDINANCE NO. 159-25**AN ORDINANCE ASSIGNING A ZONING OF P-F (PUBLIC FACILITIES) TO A 0.1408 ACRE RIGHT-OF-WAY LOCATED EAST OF 606 EAST WASHINGTON STREET, ST. FRANCIS XAVIER CHURCH.**

WHEREAS: On December 14, 1987, St. Francis Xavier vacated 0.1408 acres of land and dedicated it to the City of Medina via Ordinance No. 138-87, and at that time, the 0.1408 acres was zoned C-B (Commercial Business), a zoning designation that no longer exists; and

WHEREAS: Since 1987, the property has been considered public right-of-way and all land surrounding the 0.1408 acres has been rezoned to P-F (Public Facilities); and

WHEREAS: On August 14, 2025, the Planning Commission reviewed the application to rezone this property, and voted unanimously to recommend approval of assigning a zoning of P-F (Public Facilities) to the 0.1408 acres of land; and

WHEREAS: The notice of public hearing by Medina City Council was duly published and the hearing was duly held October 14, 2025.

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

SEC. 1: That the zoning of P-F (Public Facilities) for the 0.1408 acres of land located east of 606 East Washington Street, St. Francis Xavier, is hereby authorized.

SEC. 2: That the City Engineer is hereby directed to amend the zoning map as necessary to correctly reflect this change in zoning.

SEC. 3: That a drawing with the description of the rezoning is marked Exhibit A, attached hereto and incorporated herein.

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

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

PASSED: _____

SIGNED: _____

President of Council

ATTEST: _____

APPROVED: _____

Clerk of Council

SIGNED: _____

Mayor



SPRING GROVE ST

Church

School

R-2

P-F

Vacate 0.14 acres

E WASHINGTON ST

C-S



ORDINANCE NO. 160-25

AN ORDINANCE AUTHORIZING THE MAYOR TO SOLICIT REQUESTS FOR PROPOSALS (RFP's) FOR DRUG SCREENING AND ASSOCIATED PROFESSIONAL SERVICES FOR THE EMPLOYEES OF THE CITY OF MEDINA.

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

- SEC. 1:** That the Mayor is hereby authorized and directed to solicit Requests for Proposals (RFP's) for drug screening and associated professional services for the employees of the City of Medina.
- SEC. 2:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 3:** That this Ordinance shall be considered 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. 161-25

A RESOLUTION AUTHORIZING THE TRANSFER OF CERTAIN FUNDS REMAINING IN THE SPECIAL ASSESSMENT BOND RETIREMENT FUND (#418) NO LONGER NEEDED FOR THE PURPOSES FOR WHICH THEY WERE ESTABLISHED TO THE SPECIAL ASSESSMENT PROJECTS FUND (#428) OF THE CITY OF MEDINA AS PER OHIO REVISED CODE 5705.14(C)(1), TO AUTHORIZE AND DIRECT THE FINANCE DIRECTOR TO FILE AN APPLICATION IN THE MEDINA COUNTY COURT OF COMMON PLEAS FOR APPROVAL OF SAID TRANSFER.

BE IT RESOLVED, by the Council of the City of Medina, Ohio, three-fourths (3/4) of its members concurring herein, as follows:

1. The Special Assessment Bond Retirement Fund (#418) was created for purposes of completing street projects in the City of Medina and the street projects with respect to the foregoing fund have been completed. The unexpended balance of the hereafter listed Special Assessment Bond Retirement Fund (#418), which is still on hand after payment of all obligations incurred in completing the street projects, primarily by use of the City's #108 fund, shall, by authority of Ohio Revised Code 5705.14(C)(1) and with the approval of the Medina County Court of Common Pleas, be transferred to the Special Assessment Projects Fund (#428) of the City of Medina. The specific Special Assessment Bond Retirement Fund and the amount presently in the fund are as follows:

- a. Special Assessment Bond Retirement Fund (#418), current balance \$425,336.79 plus interest accrued until actual transfer of such funds.

2. The Finance Director is hereby authorized and directed to file an application with the Medina County Court of Common Pleas for transfer of the above-stated Special Assessment Bond Retirement Fund (#418) to the Special Assessment Projects Fund (#428) of the City of Medina.

3. This Resolution shall be in full force and effect from and after its passage.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

RESOLUTION NO. 162-25**A RESOLUTION IN SUPPORT OF THE MEDINA COUNTY
PARK DISTRICT LEVY RENEWAL AND INCREASE.**

- WHEREAS:** Parks, trails, and natural areas are essential to the health, well-being, and quality of life for the residents of Medina County; and
- WHEREAS:** The Medina County Park District has demonstrated responsible stewardship of public lands and continues to provide safe, clean, and accessible spaces for recreation, education, and conservation; and
- WHEREAS:** The proposed levy is a renewal and increase of 0.25 mill for each \$1 of taxable value, ensuring continued expanded funding for the maintenance, improvement, and development of parks, trails, and facilities across Medina County; and
- WHEREAS:** This levy will support critical initiatives including habitat preservation, infrastructure upgrades, expanded programming for youth and seniors, and enhanced accessibility for all residents; and
- WHEREAS:** Investment in parks contributes to economic vitality, public health, environmental sustainability, and community cohesion; and
- WHEREAS:** The City of Medina recognizes the importance of preserving green space and providing equitable access to nature for current and future generations.

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

- SEC. 1:** That Medina City Council formally supports the passage of the Medina County Park District Levy Renewal and Increase and encourages all eligible voters to vote in favor of this measure on November 4, 2025.
- 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 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. 163-25

AN ORDINANCE DETERMINING TO CREATE AND GOVERN A CYBERSECURITY POLICY IN ACCORDANCE WITH THE AUDITOR OF THE STATE OF OHIO'S GUIDELINES.

WHEREAS: That the State of Ohio is requiring all municipalities to create and govern a cybersecurity policy to be adopted prior to January 1, 2026.

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

SEC. 1: That the City of Medina does hereby create and govern a cybersecurity policy that protects the data and network of the City of Medina in accordance with the Auditor of State of Ohio's guidelines.

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. 164-25

**AN ORDINANCE AUTHORIZING THE EXPENDITURE OF
\$60,000 TO LAKE COUNTY SEWER CO. FOR THE STREET
DEPARTMENT.**

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

- SEC. 1:** That the expenditure of \$60,000.00 is hereby authorized to Lake County Sewer Co. for the Street Department
- SEC. 2:** That the funds to cover this expenditure in the amount of \$60,000.00 are available in Account No. 102-0620-53319.
- SEC. 3:** That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director's certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.
- SEC. 4:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 5:** That this Ordinance shall be considered 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. 165-25

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR COMPETITIVE BIDS AND TO AWARD A CONTRACT TO THE SUCCESSFUL BIDDER FOR A ONE YEAR SUPPLY OF THE VARIOUS KINDS OF MAINTENANCE MATERIALS NEEDED FOR THE STREETS AND WATER LINES, INCLUDING BUT NOT LIMITED TO SALT, THE CHEMICALS FOR USE IN THE TREATMENT OF WATER, AND WATER METERS TO BE USED BY THE VARIOUS DEPARTMENTS OF THE CITY OF MEDINA, OHIO.

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

- SEC. 1:** That the Mayor is hereby authorized and directed to advertise for competitive bids and to award a contract to the successful bidder for a one year supply of the various kinds of maintenance materials needed for the streets and water lines, including but not limited to salt, the chemicals for use in the treatment of water, and water meters, to be used by the various departments of the City of Medina in accordance with specifications on file in the office of the Mayor.
- SEC. 2:** That in accordance with Ohio Revised Code §5705.41(D), at the time that the contract or order was made and at the time of execution of the Finance Director's certificate, sufficient funds were available or in the process of collection, to the credit of a proper fund, properly appropriated and free from any previous encumbrance.
- SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 4:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 166-25

AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR COMPETITIVE BIDS AND TO AWARD A CONTRACT TO THE SUCCESSFUL BIDDER FOR JOB #1160, BLAKE AVENUE RECONSTRUCTION.

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

- SEC. 1:** That the Mayor is hereby authorized and directed to advertise for competitive bids and to award a contract to the successful bidder for Job #1160, the Blake Avenue Reconstruction Project, in accordance with plans and specifications on file in the office of the Mayor, for the Parks Department.
- SEC. 2:** That the estimated cost of the project, in the amount of \$801,000.00, is available as follows: \$485,150.00 (OPWC Grant) in Account No. 380-0674-54414, \$102,810.00 (Medina County Share) in Account No. 108-0674-54414 and \$213,040.00 (City Share) in Account No. 108-0674-54414.
- SEC. 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 4:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor

ORDINANCE NO. 167-25

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE MEDINA COUNTY BOARD OF COMMISSIONERS PERTAINING TO THE BLAKE AVENUE RECONSTRUCTION PROJECT.

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

- SEC. 1:** That the Mayor is hereby authorized and directed to execute a Memorandum of Understanding with the Medina County Board of Commissioners pertaining to the Blake Avenue Reconstruction Project, Job #1160.
- SEC. 2:** That a copy of the Memorandum of Understanding is marked Exhibit A, attached hereto and incorporated herein, and is subject to the final approval of the Law Director.
- 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

Effective date:

MEMORANDUM OF UNDERSTANDING

ORD 167-25
Exh. A

SANITARY SEWER CONSTRUCTION on BLAKE AVENUE in the CITY OF MEDINA

Terms to be contained in a Memorandum of Understanding ("MOU") between the MEDINA COUNTY COMMISSIONERS (County), and the CITY OF MEDINA (CITY).

Section 1: Project Description

The CITY will be completing a reconstruction and replacement of Blake Avenue between Medina Street and Prospect Street in the City of Medina.

The Medina County Sanitary Engineers (MCSE), under an agreement with the City entered into in 2022, operates and maintains a City owned sanitary sewer that extends through the project limits of this project.

MCSE has requested that the CITY replace the existing sanitary sewer and appurtenances with a new sewer and appurtenances as part of the CITY's Blake Avenue Reconstruction project.

Construction is tentatively scheduled to begin in the spring of 2026.

Section II – Consent Statement

Being in the public interest, the COUNTY gives consent to the CITY to complete the replacement of the sanitary sewer in conjunction with the Blake Avenue Reconstruction improvement project.

Section III - Cooperation Statement

The CITY and the COUNTY shall cooperate as follows:

1. The CITY agrees to assume and bear one hundred percent (100%) of the engineering, inspection and project administration costs for this project.
2. The CITY shall submit the completed construction plans to the COUNTY for review and approval prior to commencing this project.
3. The CITY shall modify the plans as requested by the COUNTY with regards to the final sanitary sewer design.
4. The COUNTY agrees to assume and bear one hundred percent (100%) of the construction costs for the sanitary sewer line replacement.
5. The preliminary construction cost estimate for the COUNTY's share of this project is \$100,000.
6. The actual final total share shall be calculated by the CITY upon completion of the project.
7. The CITY shall use the contract unit prices and the final approved contract unit price

quantities to calculate the final total share due by the COUNTY.

8. The COUNTY shall submit payment for the final total share due to the CITY within sixty (60) days after receiving the invoice from the CITY.

Section IV – Maintenance

The City shall require the contractor to post a two-year maintenance bond to become effective upon completion and acceptance of the project. The County shall, in accordance with the 2022 agreement between the County and the City, assume responsibility for the maintenance of the sanitary sewer and appurtenances installed as part of this project upon the expiration of the contractor's maintenance bond.

MEDINA COUNTY COMMISSIONERS

CITY OF MEDINA, OHIO

By (signature): _____

By (signature): _____

Printed Name: _____

Printed Name: Dennis Hanwell

Title: _____

Title: Mayor

Date: _____

Date: _____

ORDINANCE NO. 168-25

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PRELIMINARY ENGINEERING AGREEMENT BETWEEN THE WHEELING AND LAKE ERIE RAILWAY COMPANY AND THE CITY OF MEDINA, OHIO PERTAINING TO THE BLAKE AVENUE RECONSTRUCTION PROJECT.

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

- SEC. 1:** That the Mayor is hereby authorized and directed to execute a Preliminary Engineering Agreement between the Wheeling and Lake Erie Railway Company and the City of Medina, Ohio pertaining to the Blake Avenue Reconstruction Project.
- SEC. 2:** That a copy of the Preliminary Engineering Agreement is marked Exhibit A, attached hereto, and incorporated herein, subject to the Law Director's final approval.
- 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: _____ **APPROVED:** _____
Clerk of Council

SIGNED: _____
Mayor

ORD. 168-25
Exh. A

PUBLIC LIMITS CROSSING AGREEMENT

No. 084591

Between

CITY OF MEDINA

AND

WHEELING & LAKE ERIE RAILWAY COMPANY

Located in the
City of Medina
County of Medina
State of Ohio

Akron Subdivision
Mile Post 139.80
(Lat.: 41° 8' 14", Lon.: -81° 52' 23")



PUBLIC LIMITS CROSSING AGREEMENT
No. 084591

THIS PUBLIC LIMITS CROSSING AGREEMENT, made as of the 5th day of September, 2025, between the **CITY OF MEDINA** an Ohio municipality, having an address of 132 N Elmwood Ave., Medina, OH 44256, hereinafter called "UTILITY" and **WHEELING & LAKE ERIE RAILWAY COMPANY**, a Delaware corporation, having an address of 100 East First Street Brewster, OH 44613, hereinafter called "RAILWAY" or "W&LE" (the "Agreement")

I. PREMISES

RAILWAY (which when used herein shall include any successor or assignee of or operator over its RAILWAY) insofar as it has the legal right and its present title permits, and in consideration of the covenants and conditions hereinafter stated on the part of UTILITY, to be kept and performed, hereby permits UTILITY to construct, maintain, repair, alter, renew, and ultimately remove from over or under RAILWAY's track:

[A sewer pipe crossing under the track of RAILWAY at Mile Post 139.80 of the Akron Subdivision (Lat.: 41 8'14", Lon.: -81 52'23"), at S Medina Street, in the City of Medina, County of Medina, and State of Ohio, attached hereto and made a part hereof;]

and in accordance with the application packet attached and approved by the Vice President of Engineering of RAILWAY, or his duly authorized representative, incorporated herein by reference; all and any part thereof being hereafter referred to as the "FACILITIES" shall be under and subject to the following terms, covenants, and conditions as hereinafter recited..

II. TERMS AND CONDITIONS

In consideration of the covenants and agreements herein contained and other good and valuable consideration, and intending to be legally bound, it is agreed as follows:

1. RENT/CONSIDERATION.

UTILITY will pay the sum of \$600.00 to RAILWAY for the preparation of this agreement.

2. CONSTRUCTION.

2.1 The FACILITIES shall be located, constructed and maintained in accordance with the construction plans attached hereto and for the purpose as outlined above. No departure shall be made at any time therefrom except upon permission in writing granted by the Vice President of Engineering of RAILWAY, or his duly authorized representative; provided, however, that if any commission or other regulatory body duly constituted and appointed in compliance with the laws of the State of Ohio, has by lawful ruling or other general order determined and fixed the manner and means of construction, maintenance, repair, alteration, renewal, relocation or removal thereof, then said ruling or general order shall prevail for the crossing or occupancy herein mentioned, provided said ruling or general order does not interfere with or adversely impact the safe use or operation of the property of RAILWAY.

2.2 The work of constructing, maintaining, repairing, altering, renewing, or removing the FACILITIES shall be done under such general conditions as will be satisfactory to and approved by the Vice President of Engineering of RAILWAY, or his duly authorized representative, and will not interfere with the proper and safe use, operation and enjoyment of the property of RAILWAY. UTILITY, at its own cost and expense, shall, when performing any work in connection with the FACILITIES, arrange with RAILWAY to furnish any necessary inspectors, flagmen or watchmen to see that men, equipment and materials are kept a safe distance away from the tracks of RAILWAY. In any event, UTILITY shall not enter RAILWAY's right-of-way without first notifying and obtaining permission to enter from RAILWAY.

2.3 In addition to, but not in limitation of any of the foregoing provisions, if at any time RAILWAY should deem inspectors, flagmen or watchmen desirable or necessary to protect its operations or property, or its employees, patrons, permittees, or UTILITY during the work of construction, maintenance, repair, alteration, renewal, relocation or removal of the FACILITIES of UTILITY, RAILWAY shall have the right to place such inspectors, flagmen or watchmen at the sole risk, cost and expense of UTILITY, which covenants and agrees to bear the full cost and expense thereof. The furnishing or failure to furnish inspectors, flagmen or watchmen by RAILWAY, however, shall not release UTILITY from any and all other liabilities assumed by UTILITY under the terms of this Agreement.

3. ADDITIONS.

If UTILITY desires or is required, as herein provided, to revise, renew, or alter in any manner whatsoever the FACILITIES, it shall submit plans to RAILWAY and obtain the written approval of the Vice President of Engineering of RAILWAY, or his duly authorized representative, before any work or alteration of the structure is performed and the terms and conditions of this Agreement with respect to the original construction shall apply thereto.

4. MAINTENANCE.

4.1 UTILITY shall at all times be obligated to promptly maintain and repair the FACILITIES; and shall, upon notice in writing from RAILWAY and requiring it so to do, promptly make such repairs thereto as may be required by RAILWAY. However, in no event shall UTILITY enter RAILWAY's right-of-way without first notifying and obtaining permission to enter from RAILWAY.

4.2 In the event of an emergency, UTILITY will take immediate steps to perform any necessary repairs, subject to first immediately notifying and obtaining permission to enter from RAILWAY.

5. GOVERNMENT COMPLIANCE.

UTILITY shall comply with all federal, state and local laws, and assume all cost and expense and responsibility in connection with the FACILITIES, without any liability whatsoever on the part of RAILWAY.

6. INDEMNIFICATION.

6.1 IT IS UNDERSTOOD BETWEEN THE PARTIES HERETO THAT THE OPERATION OF RAILWAY AT OR NEAR SAID FACILITIES INVOLVE SOME RISK, AND UTILITY AS PART OF THE CONSIDERATION FOR THIS AGREEMENT HEREBY RELEASES AND WAIVES ANY RIGHT TO ASK FOR OR DEMAND DAMAGES FOR OR ON ACCOUNT OF LOSS OF OR INJURY TO THE FACILITIES (AND CONTENTS THEREOF) OF UTILITY THAT ARE OVER, UNDER, UPON OR IN THE PROPERTY, TRACK, OR FACILITIES OF RAILWAY INCLUDING THE LOSS OF OR INTERFERENCE WITH SERVICE OR USE THEREOF AND WITHOUT REGARD TO WHETHER ATTRIBUTABLE (IN WHOLE OR IN PART) TO THE FAULT, FAILURE OR NEGLIGENCE OF RAILWAY OR OTHERWISE.

6.2 AND UTILITY ALSO COVENANTS AND AGREES TO CAUSE ITS CONTRACTOR(S) TO AT ALL TIMES INDEMNIFY, PROTECT AND SAVE HARMLESS RAILWAY FROM AND AGAINST ALL COST OR EXPENSE RESULTING FROM ANY AND ALL LOSSES, DAMAGES, DETRIMENTS, SUITS, CLAIMS, DEMANDS, COSTS AND CHARGES WHICH RAILWAY MAY DIRECTLY OR INDIRECTLY SUFFER, SUSTAIN OR BE SUBJECTED TO BY REASON OF ON ACCOUNT OF THE CONSTRUCTION, PLACEMENT, ATTACHMENT, PRESENCE, USE, MAINTENANCE, REPAIR, ALTERATION, RENEWAL, OR REMOVAL OF SAID FACILITIES IN, ON, ABOUT OR FROM THE PREMISES OF RAILWAY WHETHER SUCH LOSSES AND DAMAGES BE SUFFERED OR SUSTAINED BY RAILWAY DIRECTLY OR BY ITS EMPLOYEES, PATRONS, OR LICENSEES, OR BE SUFFERED OR SUSTAINED BY OTHER PERSONS OR CORPORATIONS, INCLUDING UTILITY, ITS EMPLOYEES AND AGENTS WHO MAY SEEK TO HOLD RAILWAY

LIABLE THEREFOR, AND WHETHER ATTRIBUTABLE TO THE FAULT, FAILURE OR NEGLIGENCE OF RAILWAY OR OTHERWISE, EXCEPT WHEN PROVED TO BE DUE DIRECTLY TO THE SOLE NEGLIGENCE OF RAILWAY.

6.3 IF A CLAIM OR ACTION IS MADE OR BROUGHT AGAINST EITHER PARTY AND FOR WHICH THE OTHER PARTY MAY BE RESPONSIBLE HEREUNDER IN WHOLE OR IN PART, SUCH OTHER PARTY SHALL BE NOTIFIED AND PERMITTED TO PARTICIPATE IN THE HANDLING OR DEFENSE OF SUCH MATTER.

6.4 To protect, in whole or in part, its primary obligations under the indemnification provisions of this Agreement, UTILITY shall obtain and carry at its own cost contractual insurance in such form as shall be approved by RAILWAY covering the liability assumed by UTILITY herein, in the following amounts: Bodily Injury \$5,000,000 for each person and \$5,000,000 for each incident; Property Damage \$5,000,000 for each incident. UTILITY shall furnish RAILWAY an appropriate certificate or certificates of insurance executed by an authorized representative of the insurer, evidencing the maintenance of the insurance coverage required herein and containing a provision to the effect that the insured will give RAILWAY at least ten (10) days' prior written notice of any cancellation or modification of any such insurance policy. The aforesaid insurance requirement shall not be deemed to limit or relieve the primary liability of UTILITY under the indemnification provisions hereof, but shall be deemed additional security therefor.

6.5 If UTILITY contracts for new construction or structural alterations to the premises, UTILITY shall provide or shall cause its contractor to provide, at no cost to RAILWAY, Protective Liability Insurance designating RAILWAY as a named insured, with a limit of not less than Five Million Dollars (\$5,000,000.00) per occurrence subject to a Ten Million Dollars (\$10,000,000.00) aggregate limit for all bodily injury and property damage occurrences during each annual policy period. If the construction or alterations involve an exposure to train operations on tracks of RAILWAY, the protective liability insurance shall be on the AAR-AASHTO Form of RAILWAY Protective Insurance. The original protective liability policy shall be submitted to and approved by RAILWAY's Director Real Estate at 100 East First Street, Brewster, Ohio 44613, prior to commencement of the construction or alterations. Said address shall be the name insured's address for the purpose of all notices from the insurer.

7. UTILITY'S COST.

All cost and expenses in connection with the construction, maintenance, repair, alteration, renewal, and removal of the FACILITIES shall be borne by UTILITY.

8. CROSSING OR GRADE RELOCATION.

UTILITY shall at its sole cost and expense, upon request in writing of RAILWAY, promptly change the location of said FACILITIES covered by this Agreement, where located over, upon or in the property or facilities of RAILWAY, to another location, to permit and accommodate changes of grade or alignment and improvements in or additions to the facilities of RAILWAY upon land now or hereafter owned or used by RAILWAY to the extent that said construction shall at all times comply with the terms and conditions of this Agreement with respect to the original construction.

9. REMOVAL.

Upon the removal or abandonment of the FACILITIES covered hereby, all the rights of UTILITY hereunder shall cease, and this instrument shall become null and void.

10. SUBSIDENCE.

In the event the FACILITIES consist of an underground occupation, UTILITY will be responsible for any settlement caused to the roadbed, right of way and/or tracks, facilities, and appurtenances of RAILWAY arising from or as a result of the installation of the FACILITIES for the term of this Agreement and UTILITY agrees to pay to RAILWAY on demand the full cost and expense therefor.

11. ELECTRICAL INTERFERENCE.

In the event the FACILITIES consist of electrical power or communication wires and/or appurtenances, UTILITY shall at all times be obligated promptly to remedy any inductive interference growing out of or resulting from the presence of the FACILITIES; and if UTILITY should fail to do so, then RAILWAY may do so, and UTILITY agrees to pay to RAILWAY on demand the full cost and expense therefor.

12. TAX ASSESSMENTS.

As part of the consideration of this Agreement, UTILITY covenants and agrees that no assessments, taxes or charges of any kind shall be made against RAILWAY or its property by reason of construction of the FACILITIES of UTILITY, and UTILITY further covenants and agrees to pay to RAILWAY promptly the full amount of any assessments, taxes or charges of any kind which may be levied, charged, assessed or imposed against RAILWAY or its property by reason of the construction and maintenance of the FACILITIES of UTILITY.

13. EXCLUSIVE LICENSE.

The rights conferred hereby shall be the privilege of UTILITY only, and no assignment or transfer hereof shall be made without the consent and agreement in writing of RAILWAY being first had and obtained.

14. TERMINATION.

In the event of a breach of any of the covenants, terms and conditions hereof by UTILITY, RAILWAY shall have the right to terminate this Agreement.

15. EFFECTIVE DATE.

This Agreement shall take effect as of the day RAILWAY executes it, subject to the provisions of Paragraph 16.

16. APPROVAL.

This Agreement will not become valid until the method of installation and all related matters have been approved by the Vice President of Engineering of RAILWAY, or his duly designated representative.

17. SPECIFICATION.

In the design, construction, arrangement and maintenance of the FACILITIES, the Rules and Specifications of the Public Utilities Commission of Ohio covering the construction at crossings of underground line of public utilities, shall govern, if applicable; if not applicable, the decision of the Vice President of Engineering of RAILWAY, or his duly authorized representative, shall govern and control.

18. ENTRY NOTICE.

UTILITY agrees to contact the Vice President of Engineering of RAILWAY, or his duly authorized representative, in advance, and receive his approval before entering upon the right-of-way of RAILWAY for any reason. And at the discretion of the Vice President of Engineering of RAILWAY, or his duly authorized representative, UTILITY must schedule flag protection before entering upon the right-of-way of RAILWAY, which is provided by RAILWAY at the expense of UTILITY.

19. FIBER CABLE and SIGNAL CABLES LOCATION.

It is the responsibility of UTILITY to have knowledge of, locate, and protect against damage to fiber optic cables along, across or under the right-of-way of RAILWAY. Any damage to or disruption of any fiber optic cable will be the sole responsibility of UTILITY which will indemnify and hold harmless RAILWAY for any expense resulting there from. Before any construction may commence, Ohio Utilities Protection Services (OUPS) must be contacted, where applicable, at the following number: 1-800-362-2764. Calling such number or numbers shall not release or otherwise diminish the remaining obligations of UTILITY hereunder. UTILITY shall contact the Signals and Communications Supervisor of RAILWAY, or his duly authorized representative, to have all signal cables marked and located. RAILWAY is **NOT** registered with any underground utility notification service and must be contacted directly to ensure all RAILWAY facilities are accounted for, i.e. signal cables, electric services, culverts, conduits, data lines, communication cables, fiber, water lines, gas lines, sewage, storm drains, bridge footers, and pilings, etc. All expenses incurred by RAILWAY for such services will be invoiced to, and paid by, UTILITY.

20. GENERAL PROVISIONS.

20.1 A determination that any part of this Agreement is invalid shall not affect the validity or enforceability of any part of this Agreement.

20.2 This Agreement shall be governed by the laws of the State of Ohio.

20.3 As used in this Agreement, the words, "RAILWAY" and "UTILITY" shall include the respective subsidiaries, directors, officers, agents, and employees of RAILWAY and UTILITY.

20.4 This Agreement is for the exclusive benefit of the parties and not for the benefit of any other party. Nothing herein contained shall be taken as creating or increasing any right in any third party to recover by way of damages or otherwise against RAILWAY and UTILITY.

20.5 Section headings are inserted for convenience only and shall not affect the construction or interpretation of this Agreement.

20.6 This Agreement contains the entire agreement of the parties and supersedes any prior written or oral understanding, agreements or representations.

20.7 This Agreement may not be amended, waived or discharged except by an instrument in writing signed by the parties.

20.8 All words, terms, and phrases used in this Agreement shall be construed in accordance with their generally applicable meaning in the railroad industry.

20.9 Except as otherwise provided in this Agreement, all notices to be sent from one party to the other shall be in writing and mailed by United States certified mail, postage prepaid. Notices directed to RAILWAY shall be addressed to Wheeling & Lake Erie Railway Company, 100 East First Street, Brewster, OH 44613. Notices directed to UTILITY shall be sent to the address first listed above for UTILITY.

III. EXECUTION

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed and delivered, in duplicate, as of the day and year first above written.

CITY OF MEDINA

WHEELING & LAKE ERIE RAILWAY
COMPANY

Dennis Hanwell
Print Name

JONATHAN CHASTEK
Print Name

Signature

Signature

Mayor
Title

PRESIDENT
Title

Date

Date

STATE OF _____ §
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2025, by _____, as _____ of the City of Medina, an Ohio municipality.

(SEAL)

Notary Public

My Commission Expires: _____
Commission No.: _____

STATE OF OHIO §
COUNTY OF STARK §

This instrument was acknowledged before me on the _____ day of _____, 2025, by Jonathan Chastek, as President of **Wheeling & Lake Erie Railway Company**, a Delaware corporation.

(SEAL)

Notary Public

My Commission Expires: _____
Commission No.: _____

ORDINANCE NO. 169-25

**AN ORDINANCE AMENDING ORDINANCE NO. 97-25,
PASSED MAY 12, 2025, PERTAINING TO JOB #1151 US 42
RESURFACING PROJECT.**

WHEREAS: Ordinance No. 97-25, passed April 28, 2025, authorized bidding for Job #1151, US 42 Resurfacing and Pedestrian Safety Improvement Project, however, no bids were received; and

WHEREAS: The Ohio Department of Transportation determined that the estimated amount of the project should be increased to reflect more accurate costs.

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

SEC. 1: That Ordinance No. 97-25, passed May 12, 2025 is hereby amended to state the following: That the estimated cost of the project is hereby increased to \$2,143,600.00 and is available as follows: \$902,136.00 (NOACA TIP Award) in Account No. 109-0673-54414, \$500,000.00 (ODOT Safety Funds) in Account No. 386-0673-54414, and \$741,464.00 (City 108 Funds) in Account No. 108-0673-54414.

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. 170-25

**AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT
THREE SANITARY SEWER EASEMENTS ON SOUTH
COURT STREET.**

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

- SEC. 1:** That the Mayor is hereby authorized to accept three (3) Sanitary Sewer Easements on South Court Street.
- SEC. 2:** That the Sanitary Sewer Easement marked Exhibit A, attached hereto and incorporated herein, is located at 229 S. Court Street on Permanent Parcel Nos. 029-19A-21-234 and 029-19A-21-235.
- SEC. 3:** That the Sanitary Sewer Easement marked Exhibit B, attached hereto and incorporated herein, is located at 239 S. Court Street on Permanent Parcel No. 029-19A-21-333.
- SEC. 4:** That the Sanitary Sewer Easement marked Exhibit C, attached hereto and incorporated herein, is located at 549 S. Court Street on Permanent Parcel No. 028-19C-05-334.
- SEC. 5:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 6:** That this Ordinance shall be in full force and effect at the earliest period allowed by law.

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor



DocId:8569938

Tx:8+16430

2025OR014624

LINDA HOFFMANN
MEDINA COUNTY RECORDER
MEDINA, OH
RECORDED ON
06/22/2025 11:33 AM

REC FEE: 0.00
PAGES: 5
DOC TYPE: EASE

ORD. 170-25
Exh. A

MEDINA COUNTY RECORDER

LINDA HOFFMANN

(DO NOT REMOVE THIS COVER SHEET.
THIS IS THE FIRST PAGE OF THIS DOCUMENT)

NO TRANSFER NECESSARY
8-22-2025 DATE
ANTHONY P. CAPRETTA
MEDINA COUNTY AUDITOR

GRANT OF EASEMENT

KNOWN TO ALL MEN BY THESE PRESENTS, that King Real Estate LLC, an Ohio limited liability company, the Grantor(s), for and in consideration of Five Thousand Eight Hundred Dollars (\$5,800.00) and other valuable considerations received to my/our full satisfaction from the CITY OF MEDINA, OHIO, the Grantee, does hereby give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns to have and to hold forever an easement upon real property with the right to enter upon said real property easement to construct, maintain, operate, repair and remove a sanitary sewer main and appurtenances in, through and under the real property described as follows:

Said easement is granted upon parcel number 028-19A-21-234 & 028-19A-21-235

****SEE EXHIBIT A ATTACHED****

Prior Instrument Reference: Instrument No. 1999OR043031, Medina County Recorder's Office.

No structure, buildings, ponds or other utilities of any kind shall be constructed or placed on or in said easement without the written consent of the CITY OF MEDINA, OHIO.

As a part of the consideration for the granting of said easement(s) to the Grantee, the Grantee for its successors and assigns agrees that it will use its best efforts to have the construction of the proposed sanitary sewer main undertaken by a competent sanitary sewer main contractor who shall complete said construction as expeditiously as possible and who shall restore the site of the work as nearly as possible to its original condition and shall maintain it in such condition for a period of one (1) year after completion of said construction. Additionally, the Grantor, its successors and assigns can run private utilities (gas/electric/water) at a future time, below the surface of their property, that will cross the City's sanitary line for future development of the property. The Grantor, its successors and assigns must be a minimum of 5' horizontally and a minimum of 18" vertically from said sanitary sewer line and go through all property permitting and approval processes as required by Medina County.

TO HAVE AND TO HOLD said easement and right-of-way unto the Grantee, its successors and assigns forever.

And the said Grantor(s) for themselves and their heirs, executors and administrators, hereby covenant with said Grantee, its successors and assigns that they are the true and lawful owner(s) of said premises, and are lawfully seized of the same in fee simple, and have good right and full power, to grant, bargain, sell, convey and release the same in the manner aforesaid.

IN WITNESS WHEREOF King Real Estate LLC, an Ohio limited liability company has caused its name to be subscribed by Peter R. King, its duly authorized General Partner, and its duly authorized agent on the 21st day of MAY, 2025.

KING REAL ESTATE LLC, AN OHIO LIMITED
LIABILITY COMPANY

Sign: P.R. King

Print: Peter R. King

Title: General Partner

STATE OF OHIO, COUNTY OF Medina SS:

BE IT REMEMBERED, that on the 21st day of May, 2025, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Peter R. King, who acknowledged being the General Partner and duly authorized agent of King Real Estate LLC, an Ohio limited liability company, and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity. No oath or affirmation was administered to Peter R. King 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.



Jordan Wilson
NOTARY PUBLIC
My Commission expires: 19 August 2029

This document was prepared by: MCSE, 791 W. Smith Rd., Medina, OH 44256



Cunningham & Associates, Inc.

Civil Engineering & Surveying
203 W. Liberty St., Medina, Oh 44256
Phone: (330) 725-5980 * Fax (330) 725-8019

EXHIBIT A

Legal Description for 20-Foot Wide Sanitary Easement

Project No. 24-125

July 9, 2024

Situated in the City of Medina, County of Medina, State of Ohio and being known as part of Medina City Lot (MCL) 364, also being a part of Parcel 3 and Parcel 4 of lands conveyed to King Real Estate LLC by deed dated December 30, 1999 as recorded in Document Number 1999OR043031 of the Medina County Recorder's Records, further bounded and described as follows:

Commencing at the Northeast corner of MCL 9423 as shown by plat recorded in Document Number 2024PL000016 of the Medina County Recorder's Records, also being a point on the Western Right-of-Way of South Court Street, having a 66-foot Right-of-Way;

Thence along the Northern line of said MCL 9423, bearing North 89°56'06" West, a distance of 147.65 feet to a point thereon, also being the Southeast corner of MCL 364;

Thence along the Eastern line of MCL 364, bearing North 0°16'33" West, a distance of 35.00 feet to a point thereon, also being the Southeast corner of Parcel 3 of aforesaid lands of King Real Estate LLC;

Thence along the Southern line of Parcel 3 of said lands of King Real Estate LLC bearing South 89°05'18" West, a distance of 8.17 feet to a point thereon and the **TRUE PLACE OF BEGINNING** of the Easement Area herein described;

Thence continuing along the Southern line of Parcel 3 of said lands of King Real Estate LLC, bearing South 89°05'18" West, a distance of 20.00 feet to a point thereon;

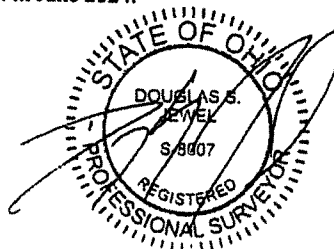
Thence, bearing North 0°03'54" East, a distance of 50.16 feet to a point;

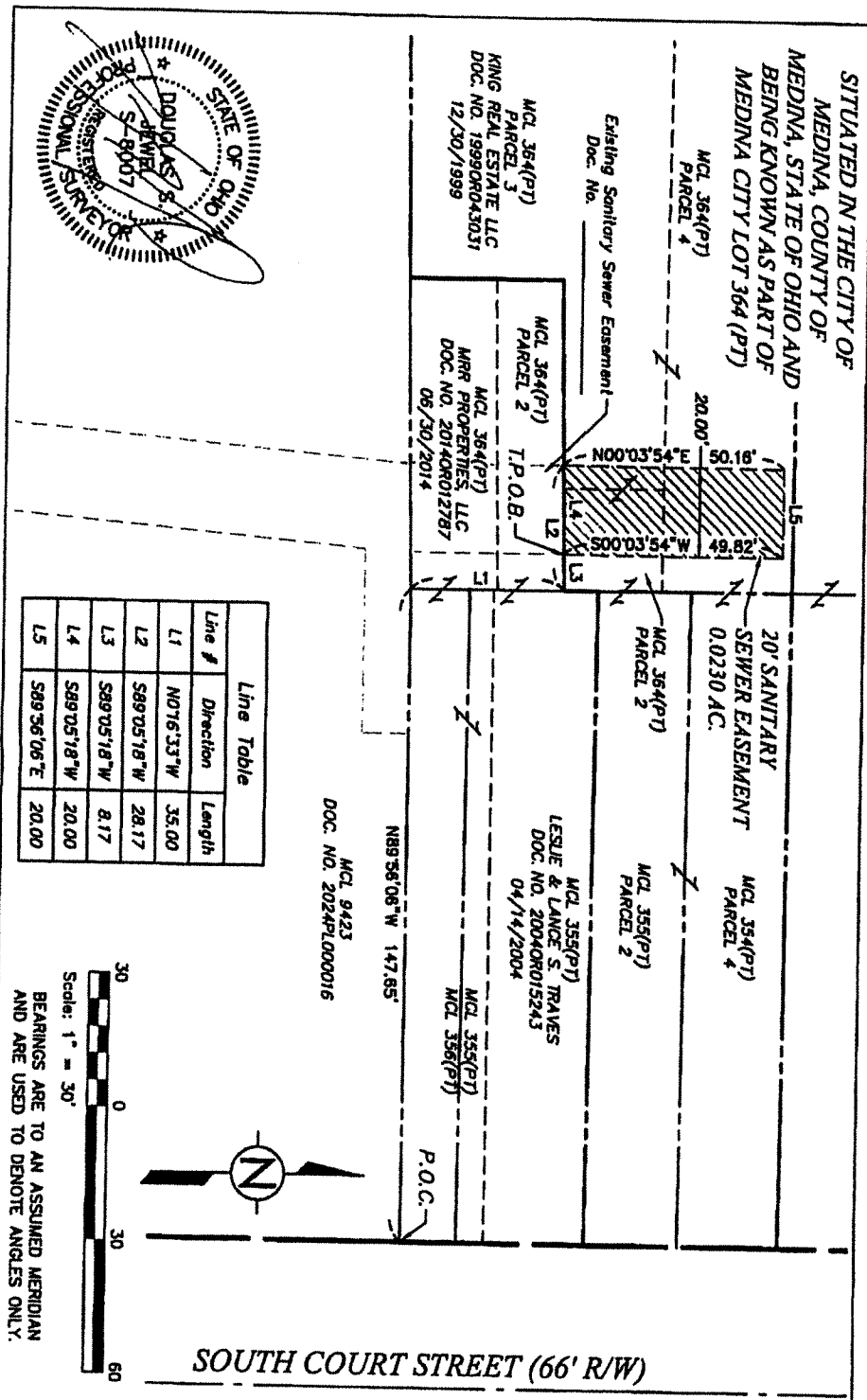
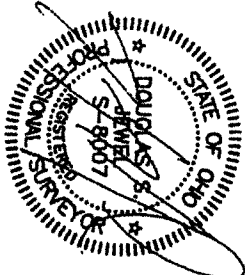
Thence at a right angle, bearing South 89°56'06" East, a distance of 20.00 feet to a point;

Thence at a right angle, bearing South 0°03'54" West, a distance of 49.82 feet to a point on the Southern line of said Parcel 3 of said lands of King Real Estate LLC and the **TRUE PLACE OF BEGINNING** containing 0.0230 Acres of land, more or less but subject to all legal highways and all covenants and agreements of record.

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

This legal description was prepared based on a survey by and/or under the supervision of Douglas S. Jewel P.S. # S-8007 by Cunningham & Associates, Inc. in June 2024.





Line Table		
Line #	Direction	Length
L1	N07°16'33"W	35.00
L2	S89°05'18"W	28.17
L3	S89°05'18"W	8.17
L4	S89°05'18"W	20.00
L5	S89°36'06"E	20.00

Scale: 1" = 30'

BEARINGS ARE TO AN ASSUMED MERIDIAN
AND ARE USED TO DENOTE ANGLES ONLY.



SOUTH COURT STREET (66' R/W)

Part of MCL 364(Pt)
LOCATED IN
CITY OF MEDINA
COUNTY OF MEDINA
STATE OF OHIO

EXHIBIT B

CUNNINGHAM & ASSOCIATES, INC.
CIVIL ENGINEERING and SURVEYING
303 W. LIBERTY ST. MEDINA, OHIO 44136 330-723-3000

DATE BY: SG
DATE: 6/24/24
PROJECT: 34.125
ACID FILE #: ETH087.05
SHEET NO: 1



DocId:8569937

Tx:8416430

2025ORD14623

LINDA HOFFMANN
MEDINA COUNTY RECORDER
MEDINA, OH
RECORDED ON
08/22/2025 11:33 AM

REC FEE: 0.00

PAGES: 6

DOC TYPE: CASE

Ord 170-25
Exh. B

MEDINA COUNTY RECORDER

LINDA HOFFMANN

(DO NOT REMOVE THIS COVER SHEET.
THIS IS THE FIRST PAGE OF THIS DOCUMENT)

NO TRANSFER NECESSARY
8-22-2004 DATE
ANTHONY P. CAPRETTA
MEDINA COUNTY AUDITOR

GRANT OF EASEMENT

KNOWN TO ALL MEN BY THESE PRESENTS, that Leslie Traves and Lance S. Traves, wife and husband, the Grantor(s), for and in consideration of One Thousand Seven Hundred Fifty Dollars (\$1,750.00) and other valuable considerations received to my/our full satisfaction from the CITY OF MEDINA, OHIO, the Grantee, do hereby give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns to have and to hold forever an easement upon real property with the right to enter upon said real property easement to construct, maintain, operate, repair and remove a sanitary sewer main and appurtenances in, through and under the real property described as follows:

Said easement is granted upon parcel number 028-19A-21-333

****SEE EXHIBIT A ATTACHED****

Prior Instrument Reference: Instrument No. 2004OR015243, Medina County Recorder's Office.

No structure, buildings, ponds or other utilities of any kind shall be constructed or placed on or in said easement without the written consent of the CITY OF MEDINA, OHIO. As a part of the consideration for the granting of said easement(s) to the Grantee, the Grantee for its successors and assigns agrees that it will use its best efforts to have the construction of the proposed sanitary sewer main undertaken by a competent sanitary sewer main contractor who shall complete said construction as expeditiously as possible and who shall restore the site of the

work as nearly as possible to its original condition and shall maintain it in such condition for a period of one (1) year after completion of said construction. The connection of the existing sanitary sewer from the building at 239 South Court Street to the proposed sanitary sewer main located in said easement shall be at no cost to the Grantors. The Grantee further agrees to restore the easement site to a similar condition after any future actions to construct, maintain, operate, repair or remove the sanitary sewer main and appurtenances in the easement area.

TO HAVE AND TO HOLD said easement and right-of-way unto the Grantee, its successors and assigns forever.

And the said Grantor(s) for themselves and their heirs, executors and administrators, hereby covenant with said Grantee, its successors and assigns that they are the true and lawful owner(s) of said premises, and are lawfully seized of the same in fee simple, and have good right and full power, to grant, bargain, sell, convey and release the same in the manner aforesaid.

THIS SPACE IS LEFT BLANK INTENTIONALLY

IN WITNESS WHEREOF, Leslie Traves and Lance S. Traves have hereunto set their hands
on the 19 day of February, 2025

Leslie Traves
Leslie Traves

Lance S. Traves
Lance S. Traves

STATE OF OHIO, COUNTY OF Medina. ss:

BE IT REMEMBERED, that on the 19th day of February, 2025, before me
the subscriber, a Notary Public in and for said state and county, personally came the above
named Leslie Traves and Lance S. Traves who acknowledged the foregoing instrument to be
their voluntary acts and deeds. No oath or affirmation was administered to Leslie Traves and
Lance S. Traves 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.



MARIELENA WALLACE
Notary Public, State of Ohio
My Comm. Expires May 02, 2026

Marielena Wallace

NOTARY PUBLIC

My Commission expires: May 02, 2026

This document was prepared by: MCSE
791 W. Smith Rd., Medina, OH 44256



Cunningham & Associates, Inc.

Civil Engineering & Surveying
203 W. Liberty St., Medina, Oh 44256
Phone: (330) 725-5980 * Fax (330) 725-8019

EXHIBIT A

Legal Description for 20-Foot Wide Sanitary Easement
Project No. 24-125
June 28, 2024

Situated in the City of Medina, County of Medina, State of Ohio and being known as part of Medina City Lot (MCL) 364, also being a part of Parcel 2 of lands conveyed to Leslie and Lance S. Traves by deed dated April 14, 2004 as recorded in Document Number 2004OR015243 of the Medina County Recorder's Records, further bounded and described as follows:

Commencing at the Northeast corner of MCL 9423 as shown by plat recorded in Document Number 2024PL000016 of the Medina County Recorder's Records, also being a point on the Western Right-of-Way of South Court Street, having a 66-foot Right-of-Way;

Thence along the Northern line of said MCL 9423, bearing North 89°56'06" West, a distance of 147.65 feet to an angle point thereon, also being the Southeast corner of MCL 364;

Thence along the Eastern line of MCL 364, bearing North 0°16'33" West, a distance of 19.91 feet to a point thereon and the Southeast corner of Parcel 2 of aforesaid lands of Traves;

Thence along the Southern line of Parcel 2 of said lands of Traves, bearing South 89°05'15" West, a distance of 8.26 feet to a point thereon and the **TRUE PLACE OF BEGINNING** of the Easement Area herein described;

Thence continuing along the Southern line of Parcel 2 of said lands of Traves, bearing South 89°05'15" West, a distance of 20.00 feet to a point thereon;

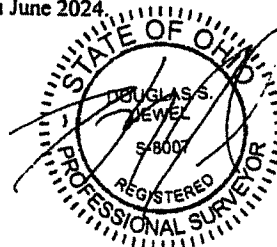
Thence, bearing North 0°03'54" East, a distance of 15.09 feet to the Northern line of Parcel 2 of said lands of Traves;

Thence along the Northern line of Parcel 2 of said lands of Traves, bearing North 89°05'15" East, a distance of 20.00 feet to a point thereon;

Thence, bearing South 0°03'54" West, a distance of 15.09 feet to a point on the Southern line of said Parcel 2 of said lands of King Real Estate, LLC and the **TRUE PLACE OF BEGINNING** containing 0.0069 Acres of land, more or less but subject to all legal highways and all covenants and agreements of record.

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

This legal description was prepared based on a survey by and/or under the supervision of Douglas S. Jewel P.S. # S-8007 by Cunningham & Associates, Inc. in June 2024.



SITUATED IN THE CITY OF
MEDINA, COUNTY OF
MEDINA, STATE OF OHIO AND
BEING KNOWN AS PART OF
MEDINA CITY LOT 364 (PT)

Existing Sanitary Sewer Easement
Doc. No. _____

MCL 364(P7) SEWER EASEMENT
PARCEL 3
KING REAL ESTATE LLC
DOC. NO. 199908043031
12/30/1999

MCL 364(P7)
MRR PROPERTIES, LLC
DOC. NO. 201408012787
06/30/2014

Existing Sanitary Sewer Easement
Doc. No. _____

MCL 364(P7)
PARCEL 2

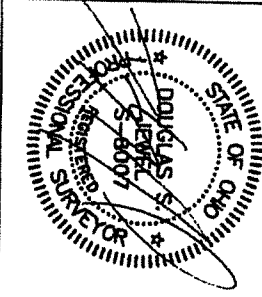
MCL 355(P7)
PARCEL 1
LESLIE & LANCE S. TRAVES
DOC. NO. 200408015243
04/14/2004

MCL 355(P7)
PARCEL 2

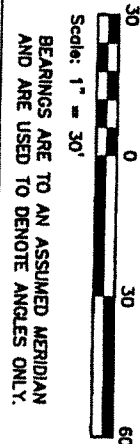
N89°36'06"W 147.85'

P.O.C.

MCL 9423
DOC. NO. 2024P000016



Line Table		
Line #	Direction	Length
L1	N07°16'33"W	19.91
L2	S89°05'15"W	28.26
L3	S89°05'15"W	8.26
L4	S89°05'15"W	20.00
L5	N07°03'54"E	15.09
L6	N89°05'18"E	20.00
L7	S07°03'54"W	15.09



SOUTH COURT STREET (66' R/W)

EXHIBIT B CUNNINGHAM & ASSOCIATES, INC. CIVIL ENGINEERING and SURVEYING 203 W. LIBERTY ST. MEDINA, OHIO 44256 330-725-3900		Part of MCL 364(P7) LOCATED IN CITY OF MEDINA COUNTY OF MEDINA STATE OF OHIO	DRAWN BY: JG DATE: 02/24 PROJECT: 24-125 ACAD FILE: EYBIBIT 04 SHEET NO: 1/1
---	--	--	--

Sanitary Sewer Easement

ORD.170-25
Exh. C

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of (ONE and 00/100) Dollar (\$1.00) and other good and valuable consideration recited herein given to WILLIAM R. BERTEMES and CANDICE A. BERTEMES hereinafter "Grantor(s)" by the CITY OF MEDINA, Ohio, hereinafter "Grantee", the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell, transfer and convey unto the Grantee, its successors and assigns, a sanitary sewer easement for the purpose of erecting, constructing, installing and thereafter using, operating, inspecting, maintaining, repairing, replacing or removing a SANITARY SEWER AND APPURTENANCES under, across, and through certain land of the Grantor(s) situated in the City of Medina, County of Medina and State of Ohio and more particularly described as follows:

Said easement is granted upon parcel number: 028-19C-05-334

Situated in the City of Medina, County of Medina, State of Ohio and being known as part of Medina City Lots (MCL) 1103 and 1104 as shown by plat recorded in Document Number 2022OR014105 of the Medina County Recorder's Records, further bounded and described in Exhibits A and B:

together with the right of reasonable ingress and egress over the immediately adjacent lands of the Grantor(s) for the purpose and use of said easement. The Grantee covenants and agrees that it will not use said easement for public right-of-way purposes.

As additional consideration for this easement and right-of-way, the Grantee covenants and agrees as follows:

1. Grantee shall observe, maintain, repair, or replace the existing sanitary sewer and appurtenances if any maintenance issues arise. Grantee will be responsible for all excavation, backfill and restoration associated with any such maintenance activities.
2. Grantee will for its successors and assigns agrees that it will use its best efforts to have any future maintenance of the existing sanitary sewer main and appurtenances undertaken by a competent sanitary sewer main contractor who shall complete said construction as expeditiously as possible.
3. Grantee shall replace any existing surface treatment, pavement, patio pavers, lawn, landscaping, shrubbery, or other improvements which may be damaged as a result of future maintenance, repair, or replacement of the sanitary sewer and appurtenances by the Grantee.
4. Grantee will pay for all costs of surveying, recording of documents, filing and transfer fees, escrow costs and title expenses, if any.

Grantor(s) covenant and agrees as follows:

1. Grantor will not install, erect or maintain any structure, fixture or device upon the easement which could in any way interfere with Grantee's use of the easement and right-of-way without written consent from the City of Medina; however, Grantor retains the right to use the surface of the easement area provided said use does not interfere with the uses granted to Grantee.
2. Authorize the City of Medina and the Board of County Commissioners of Medina County, Ohio and all other officials, assistants, employees, agents and contractors thereof to enter upon the property designated as 549 S. Court Street., Permanent Parcel No. 028-19C-05-334, part of Medina City Lots 1103 and 1104 with the necessary equipment to observe, maintain, repair and or replace the proposed sanitary sewer and appurtenances. The Grantee will complete all

excavation, backfilling, and restoration necessary to observe, maintain, repair or replace the sanitary sewer and appurtenances.

3. Release the City of Medina and the Board of County Commissioners of Medina County, Ohio, and all other officials, assistants, employees, agents and contractors thereof, from claims of damage, of compensation by reason for the observaton, maintenance, repair or replacement of the sanitary sewer main and appurtenances at the property designated as 549 S. Court Street; Permanent Parcel No. 028-19C-05-334, part of Medina City Lots 1103 and 1104.
4. Grantor will secure and protect all permanent structures associated with the sanitary sewer in the easement area.

All the terms and conditions of this Easement and Right-of-way shall be binding upon and inure to the benefit of the Grantor(s), the Grantee, their heirs, executors, administrator, successors and assigns.

The grant of this Easement and Right-of-way shall constitute a covenant running with the land for the benefit of the Grantee, its successors and assigns.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 24 day of August, 20 25.

Grantor:

William R. Bertemes

Signature: William R. Bertemes

Print Name: William R. Bertemes

State of Ohio)

) SS:

County of Medina)

The foregoing instrument was acknowledged before me this 24 day of August, 20 25

The Grantor, WILLIAM BERTEMES, who acknowledged that he did sign this Power of Attorney, and that it is his free act and deed.

I have signed and sealed this Power of Attorney at Medina, Ohio this 24 day of August, 20 25

Notary Signature: Lisa E. Gembus

Print Name: LISA E. GEMBUS

My Commission Expires: 1/22/2027

Notary Seal:



Lisa E. Gembus
NOTARY PUBLIC
STATE OF OHIO
Comm Exp 1/22/2027

IN WITNESS WHEREOF, the undersigned has executed this instrument this 25 day of August, 2025.

Grantor:

Candice A. Bertemes

Signature: Candice A. Bertemes

Print Name: Candice A. Bertemes

State of Ohio)

) SS:

County of Medina)

The foregoing instrument was acknowledged before me this 25 day of August, 2025

The Grantor, CANDICE A. BERTEMES, who acknowledged that he did sign this Power of Attorney, and that it is his free act and deed.

I have signed and sealed this Power of Attorney at Medina, Ohio this 25 day of August, 2025

Notary Signature: Lisa E. Gembus

Print Name: LISA E. GEMBUS

My Commission Expires: 1/22/2027

Notary Seal:



Lisa E. Gembus
NOTARY PUBLIC
STATE OF OHIO
Comm Exp 1/22/2027

This instrument was prepared by:

Gregory Huber, Law Director, City of Medina, Ohio
132 N. Elmwood Avenue
Medina, OH 44256

Boundary Description for
Sanitary Easement
Easement Description
0.0354 Acres

Situated in the City of Medina, County of Medina and State of Ohio and known as being part of Lot 1103 and part of the north part of Lot 1104 and is further known as being part of a parcel of land conveyed to William R. & Candice A. Bertemes by deed dated June 29, 2022, and recorded in Instr. No. 2022OR014105 of the Medina County Recorder's Records and is bounded and described as follows:

Beginning at the intersection of South Court Street, 66 foot width; and South Drive, 20 foot width; thence continuing southeasterly along the centerline of said South Court Street, South 00° 28' 45" East, 262.86 feet to a point;

Thence along the northerly line of said William R. & Candice A. Bertemes parcel and the prolongation of said northerly line, North 89° 54' 44" West, 133.79 feet, having passed over the westerly right-of-way line of said South Court Street at 33.00 feet, to a point and is the PRINCIPAL PLACE OF BEGINNING of the premises herein to be described;

1. Thence through said William R. & Candice A. Bertemes parcel, South 03° 53' 45" West, 77.17 feet to a point on the southerly line of said parcel;
2. Thence along the southerly line of said William R. & Candice A. Bertemes parcel, North 89° 54' 46" West, 20.04 feet to a point;
3. Thence through said William R. & Candice A. Bertemes parcel, North 03° 53' 45" East, 77.17 feet to a point on the northerly line of said parcel;
4. Thence South 89° 54' 44" East, with a northerly line of said William R. & Candice A. Bertemes parcel, 20.04 feet to the Principal Place of Beginning, containing 1,543 square feet or 0.0354 acres of land, more or less, according to a survey by Daniel P. Engle, P.S. No. S-8452, for Davey Resource Group in July, 2025. Subject to all highways, easements and covenants of legal record.

Bearings based on Ohio State Plane Coordinate System, North Zone, NAD 1983, ground.



Corporate Headquarters
295 South Water Street, Suite 300
Kent, OH 44240
800-828-8312

Page 1 of 1

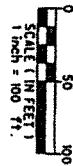
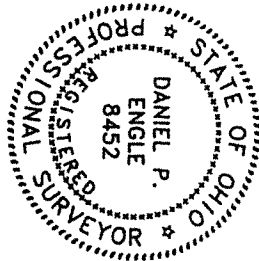
F:\TGC Eng\PROJECTS\1211 LANDMARK HOMES LIPS AND LOT FTS\0420
Bertemes Residence\SURVEY\INFO\F5\CRIP\F001\1211 0420 Sanitary Easement.dwg

Local Office
1310 Sharon Copley Rd
PO Box 37
Sharon Center, OH 44274
330-590-8004

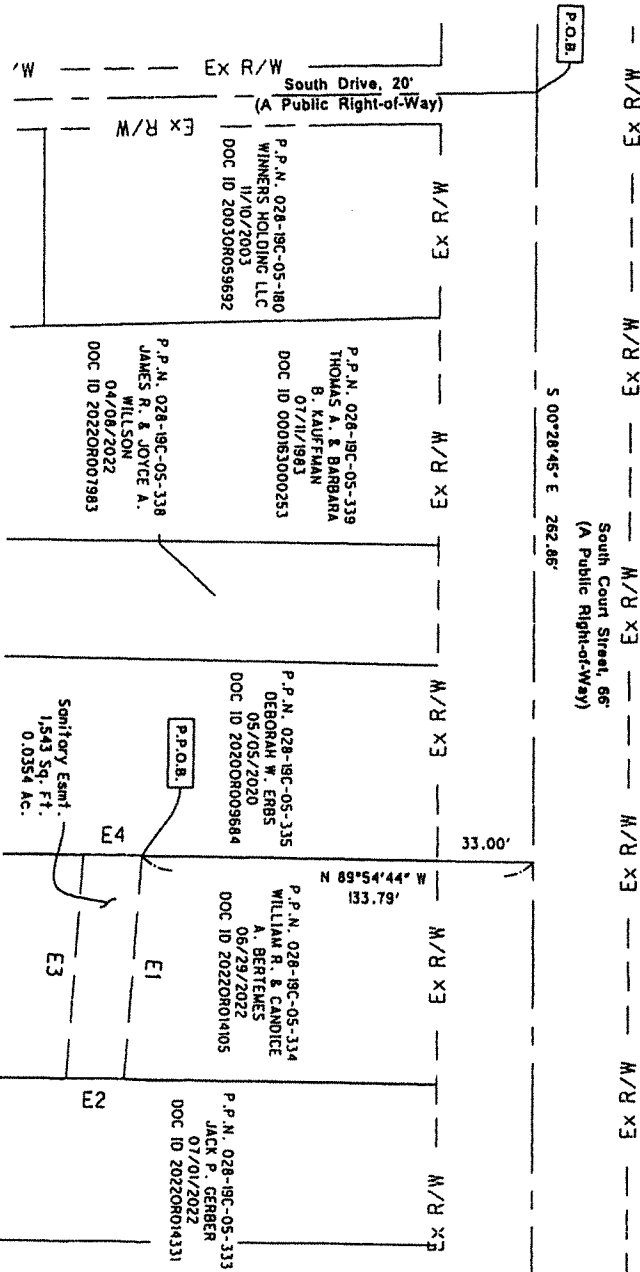
SANITARY EASEMENT

SKETCH OF

Situated in the City of Medina, County of Medina and State of Ohio and known as being part of Lot 103 and part of the north part of Lot 104 and is further known as being part of a parcel of land conveyed to William R. & Candice A. Bertemes by deed dated June 29, 2022, and recorded in Instr. No. 2022OR014105 of the Medina County Recorder's Records.



EASEMENT LINE TABLE		
SEGMENT	LENGTH	DIRECTION
E1	77.17'	S 03°53'45" W
E2	20.04'	N 89°54'46" W
E3	77.17'	N 03°53'45" E
E4	20.04'	S 89°54'44" E



ORDINANCE NO. 171-25

**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>
106-0101-53315	100.00 *
143-0748-52214	500.00 *
143-0748-52214	1,000.00 *

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

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

* - new appropriation

PASSED: _____

SIGNED: _____
President of Council

ATTEST: _____
Clerk of Council

APPROVED: _____

SIGNED: _____
Mayor