

MEDINA CITY COUNCIL
Monday, May 11, 2020

Public Hearing:

To consider the rezoning of 205 S. Prospect Street from R-3, High Density Urban Residential to P-F, Public Facilities.

Mr. Coyne opened the public hearing at 7:38 p.m.

Mr. Mendel stated this request is from the Medina County Historical Society, they are the recent purchasers of this property which is called the McDowell/Phillips House. The John Smart Home right across the street is zoned P-F as well consistent with the existing zoning status of their other property. This went before the Planning Commission on March 12th and they recommended approval of rezoning.

Nobody spoke for or against the rezoning. The public hearing was closed at 7:40 p.m.

Opening:

Medina City Council met in regular, open session on Monday, May 11, 2020. The meeting was called to order at 7:40 p.m. by President of Council John Coyne who led in the Pledge of Allegiance.

Roll Call:

The roll was called with the following members of Council present E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne and J. Hazeltine.

Also present were the following members of the Administration: Mayor Dennis Hanwell, Keith Dirham, Greg Huber, Patrick Patton, Nino Piccoli, Chief Kinney, Kimberly Marshall, Janson Wehrley, Jonathan Mendel, and Kathy Patton.

Minutes:

Mr. Shields moved that the minutes from the remote meeting on April 27th, 2020 as prepared and submitted by the Clerk be approved. The roll was called and the motion passed by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, and E. Heffinger.

Reports of Standing Committees:

Finance Committee: Mr. Coyne stated the Finance Committee met prior to council tonight and will meet again in two weeks.

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

Public Properties Committee: Mr. Shields had no report.

Special Legislation Committee: Mr. Lamb had no report.

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

Water & Utilities Committee: Mrs. Hazeltine had no report.

Emerging Technologies Committee: Mr. Rose had no report.

Requests for Council Action:

Finance Committee

- 20-092-5/11 – Budget Amendments
- 20-093-5/11 – Advance Request – Mechanics Fund
- 20-094-5/11 – Transfer Request – Board of Building Standards
- 20-095-5/11 – Expenditure – Server Refresh – Municipal Court
- 20-096-5/11 – Accepting Grant – Ohio Body Armor Program – Police Dept.
- 20-097-5/11 – PY20 CHIP Grant Program Application
- 20-098-5/11 – Increase P.O. #20-731 – Zashin & Rich – Law Dept.
- 20-099-5/11 – Expenditure Over \$15,000 – CXT Inc. – Parks Dept.
- 20-100-5/11 – Discuss Comprehensive Plan Update - RFP's received
- 20-101-5/11 – Then & Now – Municipal Court – Pioneer Technology Group
- 20-102-5/11 – Bulletproof Vest Partnership Program – Police Dept.
- 20-103-5/11 – Agreement with Euthenics, Inc. – Gates Mills Bridge Replacement
- 20-104-5/11 – Amend S & B Code 31.03 & 31.16 – Payscales & Healthcare
- 20-105-5/11 – Various Amendments to S & B Code Pertaining to Union Agreements
- 20-106-5/11 – Bid Acceptance – Lindenwood Lake Dam Improvements
- 20-107-5/11 – Purchase (1) 2020 F-Series SD F350 w/Utility Service Body – Water Dept.
- 20-108-5/11 – Exemptions to Zoning Code, Pertaining to Outdoor Dining during Covid-19

Reports of Municipal Officers:

Dennis Hanwell, Mayor, reported

- 1) A. Covid-19 - City Hall will have limited access effective immediately. Appointments will be required to meet with staff. Any items that may be submitted electronically or mailed are preferred. We will have a box or bin in vestibules at both entrances to leave mail for any city department. We will distribute. Also have utility drops at Medina Municipal Court lot. All staff & visitors are encouraged to wear masks in common areas.
 - a. Hair Salons and Barber Shops may open May 15
 - b. Restaurants may provide outside dining May 15
 - c. Restaurants may provide indoor dining May 21
 - d. All above require proper social distancing, disinfecting, and limited capacity
 - e. Working with Brunswick, Wadsworth and Medina County on coordinated opening up of public buildings either late May or early June
- B. New Parking Deck/TIF - The new parking deck being erected was supplemented by a \$1m Capital grant from the State of Ohio due to historical downtown and numerous events and activities that draw visitors from a broad region. The deck costs about \$3.8m, so the city is loaning or fronting the remaining \$2.8m. The city established a Tax Increment Finance District for areas adjacent and surrounding parking deck. West upper floor of parking deck was poured with concrete. Eastern side will likely pour in next couple of weeks. Project will last until near end of June.
- C. Please complete the U.S. Census. Important that all residents are counted. We qualify for state and federal grants based on the reporting.

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- D. S. Broadway - Between Grant and Lafayette Rd. closed for reconstruction- partially grant funded.
- E. Center Block Crosswalks - out to bid for Medina Square Center Block Crosswalks. Flashing lights to make crossing safer, funded by grant monies. \$106,000 total, \$70,666 capital grant and \$35,334 local funds – SAFETY.

Keith Dirham, Finance Director, stated the income tax filing deadline was pushed back which will cause a major hit to the city's income tax revenues in May.

Greg Huber, Law Director, had no report.

Chief Kinney, Police Department, had no report.

Kimberly Marshall, Economic Development Director, had no report.

Jonathan Mendel, Planning Community Director, had no report.

Chief Painter, Fire Department, Absent.

Mike Wright, Rec. Center Director, Absent.

Jansen Wehrley, Parks and Recreation Director, Absent.

Dan Gladish, Building Official, Absent.

Patrick Patton, City Engineer, stated the 2020 Concrete Street Repair Program is underway. This repairs various sections of concrete pavement in all four wards. We appreciate the public's cooperation while they are traveling through the work zones.

Nino Piccoli, Service Director, had no report.

Unfinished Business:

There was none.

Introduction of Visitors:

There were none.

Introduction and Consideration of Ordinances and Resolutions:

Motion to suspend the rules requiring three readings on the following ordinances and resolutions: Res. 86-20, Ord, 87-20, Res.88-20, Ord. 89-20, Ord. 90-20, Ord, 91-20, Ord. 92-20, Ord. 93-20, & Ord. 94-20. Mr. Shields moved to suspend the rule requiring three readings, seconded by Mr. Simpson. The roll was called and motion passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, and B. Lamb.

Res. 086-20:

A Resolution authorizing an application for grant assistance from the Medina County Drug Abuse Commission (MCDAC) for Narcotics Enforcement. Mr. Shields moved for the adoption of Ordinance/Resolution No. 086-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 086-20, seconded by Mr. Simpson. Chief Kinney stated this is for a grant from the MCDAC for two school resource officers in the amount of \$179,398.14. Emergency clause is requested due to deadline restrictions. The roll was called on adding the emergency clause and was approved by the yeas votes of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields. The roll was called and Ordinance/Resolution No. 086-20 passed by the yeas votes of J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

Ord. 087-20:

An Ordinance amending Ordinance No. 27-20, passed February 10, 2020, relative to the payment to Absolute Construction for the Private Home Rehabilitation at 533 S. Broadway Street as part of the PY18 CHIP Program. Mr. Shields moved for the adoption of Ordinance/Resolution No. 087-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 087-20, seconded by Mr. Simpson. Mr. Mendel stated this is a result of a change order request to increase \$4,524.00 increasing the P.O. to \$37,524.00. Emergency needed to pay contractor. The roll was called on adding the emergency clause and was approved by the yeas votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 087-20 passed by the yeas votes of J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Res. 088-20:

A Resolution authorizing the Mayor to execute an Economic Development (TRES) Transfer Form from the Division of Liquor Control for the property located at 665 Lafayette Road, Medina, Ohio. Mr. Shields moved for the adoption of Ordinance/Resolution No. 088-20, seconded by Mr. Simpson. Mrs. Marshall stated this property is known as Diner 42 and this is to transfer D-1, D-2 & D-3 class liquor permits to the city of Medina from another jurisdiction. This business is outside of our Community Revitalization District. The applicant feels they are at a competitive disadvantage without having the opportunity to offer beer and wine as other restaurants have it. The roll was called and Ordinance/Resolution No. 088-20 passed by the yeas votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Ord. 089-20:

An Ordinance authorizing the Mayor to execute a Memorandum of Understanding with the Medina County Soil and Water Conservation District for performance items related to the City's NPDES Stormwater Permit. Mr. Shields moved for the adoption of Ordinance/Resolution No. 089-20, seconded by Mr. Simpson. Mr. Patton stated for many years they have been required by the EPA to obtain and then maintain our NPDES Stormwater Permit, it is an annual permit with very specific requirements. We have used Medina County Soil and Water Conservation District to assist us with several specific items that are required and this MOU allowed that to continue

moving forward. The roll was called and Ordinance/Resolution No. 089-20 passed by the yea votes of E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, and J. Hazeltine.

Ord. 090-20:

An Ordinance amending Ordinance No. 187-19, passed November 25, 2019. (Amendments to 2020 Budget) Mr. Shields moved for the adoption of Ordinance/Resolution No. 090-20, seconded by Mr. Simpson. Mr. Dirham stated with Mr. Coyne's permission he would like to discuss this and the next two ordinances at once due to them being inter-related. The roll was called and Ordinance/Resolution No. 090-20 passed by the yea votes of P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, and B. Lamb.

Ord. 091-20:

An Ordinance authorizing the Finance Director to make certain fund advances.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 091-20, seconded by Mr. Simpson. The roll was called and Ordinance/Resolution No. 091-20 passed by the yea votes of J. Shields, D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, and P. Rose.

Ord. 092-20:

An Ordinance authorizing the Finance Director to make certain fund transfers.

Mr. Shields moved for the adoption of Ordinance/Resolution No. 092-20, seconded by Mr. Simpson. The roll was called and Ordinance/Resolution No. 092-20 passed by the yea votes of D. Simpson, J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, and J. Shields.

Ord. 093-20:

An Ordinance replacing Sections 31.03 and 31.16 – Section 1 (A), (B), and (C) of the Salaries and Benefits Code of the City of Medina, Ohio relative to the Salary Schedules for employees not covered under current union contracts for the years 2020, 2021, and 2022 and Group Hospitalization Insurance. Mr. Shields moved for the adoption of Ordinance/Resolution No. 093-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 093-20, seconded by Mr. Simpson. Mayor Hanwell stated the city negotiated with the Teamsters Union and their three Police Unions and this is asking to pass along the same wage increases that were awarded to the Union Employees to the Non-Union Employees. Some modifications were made in all four collective bargaining agreements. Emergency is needed due to Finance Department wanting to expedite getting these in place so they can do it uniformly, the back pays as well as the retro pays for the premium contributions from prior months. The roll was called on adding the emergency clause and was approved by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne. The roll was called and Ordinance/Resolution No. 093-20 passed by the yea votes of J. Coyne, J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, and D. Simpson.

Ord. 094-20:

An Ordinance authorizing the exemption to Sections 1133.04, 1135.05, 1137.04 and Chapter 1153 of the City of Medina Planning and Zoning Code to permit administrative approval of Conditionally Permitted Outdoor Dining Areas for the existing restaurants during the

Covid-19 Pandemic Statewide Restrictions, until such statewide restrictions are lifted or December 1, 2020. Mr. Shields moved for the adoption of Ordinance/Resolution No. 094-20, seconded by Mr. Simpson. Mr. Shields moved that the emergency clause be added to Ordinance/Resolution No. 094-20, seconded by Mr. Simpson. Mr. Mendel stated this is an effort to help our local restaurants to get back up and running. Right now outdoor dining is a conditionally permitted use in the Zoning Code sections that are outlined. In order to not have the three week time delay we are requesting this exemption during this period, to allow administrative approval of outdoor dining areas for existing restaurants that want to start implementing this on Friday, May 15th. This is just exempting people from the Planning Commission the conditional zoning certificate review process, this does not totally deregulate the operation of outdoor dining. You still have to do an occupancy permit and follow all explicable regulations in the zoning code and throughout the rest of the municipal code. The roll was called on adding the emergency clause and was approved by the yea votes of B. Lamb, P. Rose, J. Shields, D. Simpson, J. Coyne, J. Hazeltine, and E. Heffinger. The roll was called and Ordinance/Resolution No. 094-20 passed by the yea votes of J. Hazeltine, E. Heffinger, B. Lamb, P. Rose, J. Shields, D. Simpson, and J. Coyne.

Council Comments:

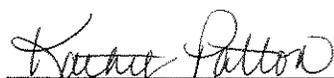
Mr. Simpson thanked everyone for their efforts with local food drives, watching out for your neighbors and helping take care of the elderly. It's nice to see people start to get out and about. Keep practicing social distancing and be kind to one another.

Mrs. Hazeltine loves Medina and the people, thank you to everyone for your efforts during Covid-19. Jess announced she and Councilman Lamb will be hosting a series of Facebook Live programs called Coffee with Bill and Jess, so look for that on her FB page.

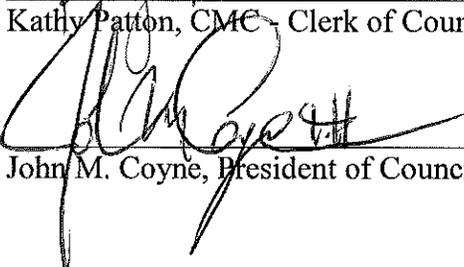
Mr. Coyne reminded everyone that this Wednesday at 5:30 p.m. will be the first budget meeting.

Adjournment:

There being no further business before Council, the meeting adjourned at 8:27 p.m.



Kathy Patton, CMC Clerk of Council



John M. Coyne, President of Council