

**RECORD OF PROCEEDINGS
MINUTES OF REGULAR MEETING
April 5th, 2018
7:00 PM**

The Medina Township Board of Trustees met in regular session at the Western Reserve Masonic Community on April 5th, 2018, to conduct the business of the Township. Chairman DeMichael called the meeting to order at 7:02 pm with the following Trustees in attendance: Ken DeMichael, Mike Stopa and Mark Radice. Also in attendance were Fiscal Officer Ventura, Police Chief Arbogast, Road Superintendent Miller, Zoning Inspector Ridgley, Assistant County Prosecutor Tom Karris and the general public.

Roll Call

Mr. DeMichael asked for a roll call of all members present. Trustees present were Mr. DeMichael, Mr. Stopa and Mr. Radice.

Pledge

Mr. DeMichael led the Pledge of Allegiance.

Moment of Silence

Mr. DeMichael asked for a moment of silence for our military both home and abroad as well as our first responders.

Thank You to the Western Reserve Masonic Community

Mr. DeMichael thanked the members of the Western Reserve Masonic Community for asking Trustees to hold this meeting so the residents could be part of the meeting.

Executive Session for Employee Discipline

Mr. Radice motioned to enter into Executive Session for employee discipline with Prosecutor Karris, Mike Stopa, myself and Chief Arbogast. Mr. Stopa seconded the motion. Roll call vote: Mr. Radice aye, Mr. Stopa aye, Mr. DeMichael abstain. The Board entered into Executive Session at 7:04 pm. The Board reconvened at 7:14 pm. No decisions were made during that meeting.

Disciplinary Action for Officer Ventura

Mr. Radice motioned to maintain the disciplinary action of Officer Ventura as determined by Chief Arbogast and therefore deny Officer Ventura's appeal. Mr. Stopa seconded the motion. Roll call vote: Mr. Radice aye, Mr. Stopa aye, Mr. DeMichael abstain.

OTHER BUSINESS

Approval of Accounts Payables

Mr. DeMichael motioned to approve accounts payable check #29107 through check #29121 total amount \$7,470.20. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

Approval of Payroll

Mr. DeMichael motioned to approve payroll check #23891 through check #23915; total amount is \$39,907.76 with \$6,876.18 being deferred for OPERS, union dues and taxes. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

Closing of Foskett Road for Ditch Enclosure

Mr. DeMichael motioned to allow the closing of Foskett Road as needed for the ditch enclosure installation starting next week weather permitting. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa. The closure will be between Hamilton and Hamlin Roads during business hours. There will be detour signs.

TM4/5/18

OLD BUSINESS

Discussion of Frontier Phone System

Mr. Stopa said he has been meeting with Frontier and other phone companies to try to get better rates for us. Mr. DeMichael said Mr. Stopa is spearheading the upgrading of our phone system.

Discussion of Remsen Building

Mr. DeMichael said we are waiting on a response from our attorney so this will remain on the agenda for our next meeting.

PUBLIC COMMENT

Mr. DeMichael motioned to open the floor for public comment. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice. There was public comment.

Medina Soccer Association Letter of Intent and Notice of Breach of Contract

Ian Jones, on behalf of the Medina Soccer Association, presented Trustees with two (2) documents, a breach of contract letter on our lease with the Remsen Building and intent to deposit rent in an escrow account and a letter of intent to purchase the building. They are requesting an answer by April 30, 2018. We are going to use the \$1,000.00 earnest money that was never cashed from the first offer for the second offer.

Mr. DeMichael motioned to close the floor for public comment. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

Shared Services Feasibility Study Request for the Fire District Committee

Mr. DeMichael received a letter from the Auditor of State regarding a feasibility study request from Montville Township regarding the Fire District. Mr. Radice has been spearheading this effort. Mr. DeMichael motioned to allow Trustee Radice to enter into or make a decision to enter into an agreement with...to have that feasibility study done. Mr. Stopa seconded the motion. Mr. Radice said this doesn't necessarily hold us bound to do this study. On paper it is a good idea and there is no cost for us. This should cover all the questions residents have and they will look at a lot of data. We will have a 60 day opt-out. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

Executive Session for Considering the Employment and Compensation of a Public Employee

Mr. DeMichael motioned to enter into Executive Session for considering the employment and compensation of a public employee with the three (3) Trustees and the Fiscal Officer. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa. The Board entered into Executive Session at 7:50 pm. Mr. DeMichael said no decisions were made back there but we did however discuss considering the employment and compensation of a public employee. Mr. DeMichael motioned to reconvene from Executive Session. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice. The Board reconvened from Executive Session at 8:44 pm.

Interviews

Mr. DeMichael motioned to bring back the following people for an interview and we will have a special meeting April 12 at 6:30 pm: Hunter Heaton, Matthew Schley, Leora Gregory, Lisa Carter, Jaqueline Krist, Nancy Tompkins, Mary Wenzel and Hallie Buher. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa. Mr. DeMichael said they will block off fifteen (15) minutes for each interview.

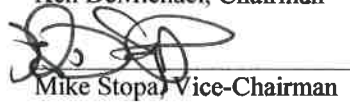
Mr. DeMichael motioned to adjourn. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice. There being no further business to come before the Board the meeting was adjourned at 8:46pm.



Angela Ventura, Fiscal Officer



Ken DeMichael, Chairman



Mike Stopa, Vice-Chairman



Mark Radice, Trustee

**Medina Soccer Association
114 N. Court Street, #231
Medina, Ohio 44256**

April 5, 2018

Medina Township Trustees
Ken DeMichael, Chairman
3799 Huffman Road
Medina, Ohio 44256

*Re: Letter of Intent
3074 Remsen Road, Medina, Ohio*

Gentlemen:

This letter will serve as an agreement in principle for the sale by Medina Township to the Medina Soccer Association of the property situated at 3074 Remsen Road, Medina County, Ohio, consisting of approximately 4.5 acres of land and several buildings (the "Property") upon the terms and conditions outlined below. For the Property, the Association agrees to pay the sum of \$100,000.00. This amount represents deductions taken from our initial offer in July 2015 representing wear-and-tear on the building due to lack of improvements being made by the Township, the immediate need to replace the roof as well as other repairs identified during the timeframe that we have leased the property as well as the assumption of the liabilities of the Medina Creative Housing Lease Agreement dated December 28, 2017. To demonstrate our good faith, we will allow the Township to apply the original earnest money deposited in July 2015, in the amount of \$1,000.00, which while fully refundable was never returned. If the transaction is not consummated for any reason, you agree to return this deposit to us and otherwise to apply it to the purchase price.

Your obligation to sell the Property to us and our obligation to purchase the Property are subject to the following conditions:

- (1) The execution of a more definitive agreement for the sale of the Property free and clear of all liens and encumbrances, containing the usual and customary warranties and representations, which shall be subject to the approval of our respective attorneys, and specify a closing date not later than June 30, 2018;
- (2) The Property must successfully pass a Phase I Environmental Assessment;
- (3) The existing sewage treatment plant must be certified to be in good working order

and not causing any environmental issues.

- (4) Purchaser shall have fifteen (15) days from acceptance of this offer within which to examine, inspect and investigate the Property and, in Purchaser's sole and absolute judgment and discretion, to determine whether the Property is acceptable to Purchaser (including without limitation that all operating equipment, such as air conditioning units, heating equipment, power lines and panels, air lines and compressors, doors, tanks, pumps, plumbing and other equipment are in good operating condition and that the Property is not in violation of federal, state or local laws, ordinances or regulations regarding zoning, land use, environmental and other matters), as well as to review the Leases, title and obtain all necessary internal approvals.

This agreement is a non-binding agreement and will be subject to approval by our counsel and yours of the final, binding agreement. If the final agreement is not executed by all parties by April 30, 2018, this letter of intent shall automatically terminate, be of no further force or effect, and the \$1,000.00 earnest money deposit shall be returned to us.

If you are in agreement with this letter of intent, please sign the enclosed duplicate original and return it to us at your earliest convenience.

Very truly yours,

MEDINA SOCCER ASSOCIATION



Damon S. Hacker, President

cc: Mark Radice; Mike Stopa; Forrest Thompson, Medina County Prosecutor

AGREED:

MEDINA TOWNSHIP

By: _____

_____ Dated

**Medina Soccer Association
114 N. Court Street, #231
Medina, Ohio 44256**

April 5, 2018

Medina Township Trustees
Ken DeMichael, Chairman
3799 Huffman Road
Medina, Ohio 44256

*Re: Notice of Breach of Contract and Intent to Deposit Rent in Escrow
3074 Remsen Road, Medina, Ohio*

Gentlemen:

This letter is follow-up to discussions with Township personnel, including in-person discussions, phone calls, electronic correspondence as well as notification at prior Township Meetings. Subject to paragraph I and V of our Lease dated July 5, 2013, the Township is in breach of the Lease. In particular, for the past 5+ weeks we have not had use of the lower portion of the facility due to persistent leaking of the roof. This has resulted in cancellation of events, including revenue-producing events. Pursuant to section V, Interruption of Services or Use, Medina Township is responsible for "[taking] such measures as may be reasonable in the circumstances to restore the service **without undue delay**" (emphasis added). Despite these discussions and requests for resolution, this issue has not been resolved.

As such, Medina Soccer Association will be depositing all Rent and any other monies owed (if any), in escrow, with the Medina County Court of Common Pleas until the issue is resolved. In addition, upon resolution, Medina Soccer Association will expect proportionate abatement of rent subject to the premises being partially untenable, as outlined in paragraph V of aforementioned Lease.

Very truly yours,

MEDINA SOCCER ASSOCIATION



Damon S. Hacker, President

cc: Mark Radice; Mike Stopa



Dave Yost • Auditor of State

March 30, 2018

By U.S. Mail

Ken DeMichael, Chairman
Medina Township
3799 Huffman Road
Medina, Ohio 44256

Dear Chairman DeMichael:

This letter is to inform you that Medina Township (the Township) has been identified by Montville Township as a project partner for a shared services feasibility study. The proposed scope of this study, as well as all project partners, is outlined in the attached request which was submitted to the Ohio Auditor of State's (AOS) Ohio Performance Team (OPT). OPT evaluates all such requests as they are received.

Feasibility Study Authority and Purpose

AOS is authorized under Ohio Revised Code (ORC) § 117.473 to conduct shared services feasibility studies at the request of state agencies and local public offices. These studies are performed by OPT with the goal of identifying and furthering partner efforts toward more economical, efficient, and effective service delivery. OPT has extensive experience in evaluating state and local government management and operations and is uniquely qualified to perform this study.

Feasibility Study Costs

If selected, this study will be conducted at no cost to the Township, or any of the project partners, and will be paid for using AOS funds.

Partner Responsibilities and Next Steps

In accordance with ORC, each partner identified in the request has the option to opt out of the shared services feasibility study. However, notice to do so must be provided in writing to AOS within 60 days of the postmark of this letter, and must be approved by the elected official or governing body. If you choose to proceed as a partner no action is required. OPT is currently evaluating this request and a determination will be made after the 60-day opt-out period.

If selected, AOS will provide written notification to all partners of the date the feasibility study will commence and will do so in writing no later than 10 days before commencing. Once the feasibility study commences, OPT will begin a planning phase that will involve engaging with all partners. The purpose of this planning phase will be to gather relevant data and information necessary to develop a detailed scope and methodology. At the conclusion of the planning phase, this detailed approach will be presented to all partners.

The successful and timely completion of this study is contingent on the full cooperation of the Township and all project partners. It is requested that you convey the purpose of the feasibility study to all staff members and encourage cooperation with the project team.

Sincerely,

Dave Yost
Auditor of State

A handwritten signature in black ink, appearing to read "Scott Anderson", with a long horizontal flourish extending to the right.

Scott Anderson
Director, Ohio Performance Team

Enclosure: Feasibility Study Request Form

cc: Terry Grice, Chief of Police, Montville Township



Dave Yost • Auditor of State

Shared Services Feasibility Study Request

With the enactment of H.B. 5, effective September 14, 2016, the Ohio Auditor of State (AOS) is able to provide feasibility studies for shared service efforts. These feasibility studies, and the resources necessary to conduct them, are available to state agencies and local public offices with the goal of furthering their efforts towards more efficient and effective service provision. AOS intends to focus these limited resources to where they can be of the most value to the partner entities and taxpayers of the State of Ohio.

Eligibility

Any state agency or local public office may apply. Local public office is defined in the Ohio Revised Code § 11.01 as “any state agency, public institution, political subdivision, or organized body, office, agency, institution, or entity established by the laws of this state for the exercise of any function of government.” Applicants with a governing body must submit a resolution of support for the application.

Timing

Requests will be accepted on a rolling basis.

Selection Process

All applications will be reviewed by the Auditor of State’s Office.

Opt-out Provision

As required, the AOS will provide written notification to each state agency and local public office identified in a request. To opt out, a state agency or local public office must provide the AOS notice within 60 days of receipt of the written notification. Regardless of opt-out provisions, the AOS reserves the right to cancel the feasibility study or proceed considering the entities that have not opted out.

Obligations

If a request is selected, the lead entity will be required to sign an engagement letter with the AOS that outlines the scope of the services to be provided, the timing of the feasibility study, and the state agencies or local public offices to be included in the feasibility study.

Note: All Feasibility studies will be conducted by the Ohio Performance Team and are subject to available funding and staffing availability.

Shared Services Feasibility Study Request Form

Lead Entity Name Montville Township

Partners identified for study participation (must be a state agency or local public office)
Medina City and Medina Township

Point of contact with legal authority to sign contracts on behalf of the entity requesting this study.

Name Terry Grice- Chief of Police/Safety Director

Address 6665 Wadsworth Road

City Medina County Medina Zip 44256

Phone (330) 725-8314 Email tgrice@montvilletwp.org

Project Specific Questions

Please describe the scope of the requested feasibility study.

The partners involved in this project are Medina City, Medina Township, and Montville Township. The total population for all three communities is approximately 47,000 with a service area of 58 square miles. The goal of the requested feasibility study has a variety of different components. In an attempt to make them concise they are listed below:

1. Creating a Joint Fire District to operate in all three communities
2. Research any cost savings by the creation of the district, or remain as we currently are.
3. Conduct an equipment audit to see if there is redundancy in current equipment or if we are in a responsible position with the current assets in place.
4. If a formal district is developed are the current (7) stations needed to operate effectively or is there a need to rethink the location of a potentially far northern station.
5. Cost associated with the creation of a fire district.
6. Potentially combined EMS/Fire operations under one entity with the creation of this fire district, after a cost analysis.

Currently, the three communities are covered by Medina Fire Department from (7) stations. Monday-Friday from 8:00 a.m. to 4:00 p.m the department has a crew of seven employees and operates out of Station 1. From 4:00 p.m. until midnight there are two crews of three employees that operate out of Station 1 and Station 6. Beyond these hours the department operates on an on-call basis, including the weekends.

See attached.

Please describe the potential value that could be realized through implementation of a shared services model.

The goal of all three communities is to provide the best service we can to our residents while being fiscally responsible with tax dollars. Our communities have an extensive history of collaborating with each other and this will be one more example of shared services. If we find that the creation of a formal fire district is the best option we will be able to use this study to have proven data to indicate the rationale behind the reasoning. The focus for this project needs to remain on the cost of services we are currently paying versus what we would pay for expanded services or by the creation of a formal district and keeping the same services we currently offer to our communities.

Please describe the current and historical relationship among the proposed partners, including any other efforts toward shared services.

Medina City has been providing fire protection to Montville Twp. on a contractual basis for over 50 years. In recent years the agreement has expanded to Montville Twp. purchasing two fire trucks and one support vehicle which is used by members of the fire department. In addition, in 2011 Montville Township completed a Safety Services Center which houses fire, EMS, and police personnel. The relationship between the two entities has always been positive and one that mutual respect has been at the forefront which allows for the best service to all residents.

In 2017, Medina City was approached by Medina Twp. to take over the fire operations within their township. The agreement was put into place in July and has been operational since. Medina Twp. has the same contractual framework as Montville Twp., \$230,000.00 annually. In addition, the equipment Medina Twp. had was turned over to Medina City. Medina Twp. has two fire stations within their township that are currently operational.

In addition to the above agreements, all three entities are dispatched through Medina City Police Department and have been since the end of 2003. This is another example of collaboration between all three entities to streamline 911 calls and work together with our neighboring partners when the need arises.

Montville Twp. and Medina City also have a current JEDD in place for properties along SR3 and SR18, located within Montville Twp. The JEDD has proven valuable for both entities and the commercial businesses that have been developed.

Our EMS service is the Life Support Team (LST), operated by the Cleveland Clinic Medina Hospital, which covers all three communities and is a separate service from the fire department. All three entities have a separate EMS levy that is used to pay for this service. Currently, LST invoices each community based on the percentage of EMS runs that occur in each specific area, minus the patient collections. LST is staffed 24/7 from three separate stations. Station 1 is housed at Medina Fire Station 1, Station 4 is located at Medina Hospital and Station 5 is operated out of the Montville Safety Services Center. Each day there are a minimum of six paramedics working, divided among the three stations. Monday-Friday there are three additional administrative employees who are also paramedics.

Medina City funds the fire department with the use of a portion of an income tax while both townships have a Safety Service levy. Since the fire department does not provide EMS services, the funds from the Safety Service levy can only be used for Police/Fire, not EMS.