

**RECORD OF PROCEEDINGS  
MINUTES OF REGULAR MEETING  
MAY 3<sup>RD</sup>, 2018  
7:00 PM**

The Medina Township Board of Trustees met in regular session at the Medina Township Townhall on May 3<sup>rd</sup>, 2018, to conduct the business of the Township. Chairman DeMichael called the meeting to order at 7:01 pm with the following Trustees in attendance: Ken DeMichael, Mike Stopa and Mark Radice. Also in attendance were Fiscal Officer Ventura, Police Chief Arbogast, Fire Chief Painter, Road Superintendent Miller, Zoning Inspector Ridgley 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.

**SITE PLANS**

**Five Guys – 4184 Pearl Road – Wall Sign**

Mr. DeMichael motioned to accept the recommendation of the Zoning Commission and approve a wall sign for Five Guys located at 4184 Pearl Road not to exceed 26 square feet as presented. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

**The Mower Shop – 3055 Pearl Road – Addition**

Mr. DeMichael motioned to accept the recommendation of the Zoning Commission and deny the addition for the Mower Shop located at 3055 Pearl Road as it does not meet the front and side yard setbacks of the Medina Township Zoning Resolution as presented. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice

**Panera Bread – 4065 Pearl Road – Wall Sign**

Mr. DeMichael motioned to accept the recommendation of the Zoning Commission and approve a wall sign for Panera bread located at 4065 Pearl Road not to exceed 77.6 square feet as presented. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

**Tru Barre Studio – 2759 Medina Road – Wall Sign**

Mr. DeMichael motioned to accept the recommendation of the Zoning Commission and approve a wall sign for Tru Barre Studio located at 2759 Medina Road not to exceed 29.4 square feet as presented. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

**Tru Barre Studio – 2759 Medina Road – Tenant Panel**

Mr. DeMichael motioned to accept the recommendation of the Zoning Commission and approve a tenant panel to be placed on the existing pylon sign for Tru Barre Studio located at 2759 Medina Road not to exceed 4.2 square feet as presented. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

**Gordian Art – 2775 Medina Road – Change of Use**

Mr. DeMichael motioned to accept the recommendation of the Zoning Commission and approve the use for Gordian Art to be located at 2775 Medina Road as presented. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

TM5/3/18

## **OTHER BUSINESS**

### **Erica Graffain – Medina County Auditor's Representative**

The Auditor's Office will be out doing farm checking in 4 to 6 weeks. They will be holding their Petacular at Pinnacle Sports Arena Saturday from 10 am to 2 pm. They will be putting the Memorial Day Essay Contest winners on the Auditor's website.

### **Executive Session for the Consideration and Compensation of a Public Employee**

Mr. DeMichael motioned to go into Executive Session for the consideration and compensation of a public employee. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice. Mr. DeMichael amended his motion to include the Trustees and Fiscal Officer. Mr. Stopa amended his second. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice. The Board entered into Executive Session at 7:10 pm. Mr. DeMichael motioned to reconvene from Executive Session where the three Trustees and Fiscal Officer were actually considering the compensation of a public employee. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice. The Board reconvened at 7:25 pm.

### **Supplemental Appropriations Changes**

Mr. DeMichael motioned to move \$5,000.00 from account number 1000-110-190-0000 to account number 1000-110-590-5900 to cover community events and incorporate this one page document by reference. Mr. Stopa seconded the motion. Mr. Stopa said this is to move money over to cover the Bicentennial Events and the balance can be left to cover future events. Mrs. Ventura said she is also including Toss ur Trash in this. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

### **Approval of Accounts Payables**

Mr. DeMichael motioned to approve accounts payable check #29178 through check #29196 total amount \$10,210.57. 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 #23940 through check #23963 total amount is \$37,572.30 with \$7,079.54 being deferred for health insurance, OPERS and union dues. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

### **Approval of Minutes**

Mr. DeMichael motioned to approve the minutes from the April 5<sup>th</sup> regular meeting, April 12<sup>th</sup> special meeting, no let me amend my motion to include the April 5<sup>th</sup> regular meeting the April 19<sup>th</sup> regular meeting. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

Mr. DeMichael motioned to approve the minutes from April 12<sup>th</sup>, this was a Special Meeting. Mr. Stopa seconded the motion. Roll call vote: Mr. DeMichael aye, Mr. Stopa aye, Mr. Radice abstain.

## **PURCHASE ORDERS**

### **Treemasters – Service Department**

Mr. DeMichael moved to accept a purchase order requisition for our Service Department. The vendor is Treemasters Tree Service out of Medina. This is to remove one (1) Norway spruce, one (1) sugar maple on Huffman Road. The total amount is \$1,900.00. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

TM5/3/18

## **PURCHASE ORDER**

### **Cardinal Cement – Service Department**

Mr. DeMichael moved to accept the purchase order requisition for our Service Department. The vendor is Cardinal Cement and Excavating. This is for road repair of North Jefferson behind Wal-Mart. Total amount is \$5,775.00. Mr. Stopa asked if it was just one section and Mr. Miller said it is one section 25' 6" by 17' and 8" thick. It is all undermined. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

### **Closing of N. Jefferson Street Between Pinehurst and Ledgewood**

Mr. Miller said he will have to shut N. Jefferson between Pinehurst and Ledgewood down for repairs. The closing will be put on the website and signs will be put up.

Mr. DeMichael motioned to allow Denny to close N. Jefferson between Pinehurst and Ledgewood on an as needed basis in the next few months. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

## **DEPARTMENT HEAD COMMENTS**

### **Police Department**

Chief Arbogast explained the crimes report he received from the FBI, copies are available. May is Bike Safety Month at Yours Truly Restaurant in Signature Square. The information can be found on the Township website under the Police link. Saturday was National Drug Take Back Day and we collected 248 pounds of unused drugs.

### **Service Department**

Mr. Miller said Route 3 will be closed between Bagdad and Huffman for thirty (30) days starting May 14. Mr. Miller said they have taken all the snow plows off the trucks.

## **NEW BUSINESS**

### **Donation of Field Time for the Special Olympics**

Mr. DeMichael moved to allow the Special Olympics Tournament to be held on our Blakslee Fields as schedule permits 2018 free of charge. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

### **Fireworks Donation with Medina City**

Mr. DeMichael moved to accept the purchase order requisition for our Admin Department. Vendor is the City of Medina. This is for the 2018 fireworks display contribution for \$2,500.00. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

### **Discussion of Hood Road Guard Rail Deterioration**

Mr. DeMichael said the guard rail on Hood Road is deteriorating very badly. The Trustees and Road Superintendent Miller met with the Medina County Engineer and a few residents who may be affected by it. There was a discussion on the issue. The residents suggested that we close Hood Road and make that portion a multi-use path where motor vehicles would be restricted. The County Engineer was against that idea. It is ultimately the decision of the Trustees and the County Commissioners. They were advised by the County Engineer that it will be very costly. They reviewed the maps with the residents in attendance. A letter will be sent to the County Commissioners.

Mr. DeMichael motioned to send a letter to the County Commissioners asking for their feedback with their suggestions of making it a one way road with traffic lights at each end of the road, to consider shoring up the road, to consider total abandonment and then a one way road going up the hill. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

**Discussion of Hood Road Guard Rail Deterioration Con't**

Mr. DeMichael asked that a letter be sent to the County Commissioners with the Trustees suggestions and if they have others that would be fantastic. Jean asked if they could make it a one way road and have traffic lights at each end of the road. Mr. Radice said we gave them three (3) options and that was one of the options.

**ODOT Winter Contract (018-19) for Road Salt**

**Resolution Number 05032018-008**

Mr. DeMichael motioned to put forth the following Resolution Number 05032018-008 as presented. It is a one (1) page document. Mr. Radice seconded the motion. Mr. Stopa asked Mr. Miller if this was our portion of salt. Mr. Miller said we tell ODOT how much salt we will need and they go out for bid for the entire County. Mr. DeMichael said we are requesting 1500 tons. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

**Adoption of Expense Reimbursement for Mileage Per the IRS**

Mr. DeMichael motioned to adopt the expense reimbursement form to reflect the IRS new rate increase of \$0.54.50 cents per mile. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

**Cancellation of May 17, 2018 Trustee Meeting and Authorization for Fiscal Officer to Prepare Accounts Payable and Payroll Checks**

Mr. DeMichael said there is a Medina County Township Association Meeting that the Trustees would like to attend. Mr. DeMichael motioned to cancel our May 17 regularly scheduled Trustee meeting and authorize the Fiscal Officer to prepare accounts payable checks for May 17<sup>th</sup>, 2018 regular meeting due to the Trustees attending the Township Associations Auditor's meeting. There will be no meeting for that date. The Trustees will approve the checks by voting at the May 31, 2018 regular Trustees meeting. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

Mr. DeMichael motioned to authorize the Fiscal Officer to prepare payroll for the pay dated May 18<sup>th</sup>, 2018, to allow those funds to be direct deposited as usual to Township employees. Trustees will not have a regular meeting on May 17<sup>th</sup>, 2018 the Trustees will approve the payroll at the next regularly scheduled meeting which is May 31<sup>st</sup>, 2018. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

**Hiring of Full-time Police Officer to Replace Officer Miltner who Went Part-time**

Mr. Radice motioned to hire Matthew Sikula as a full-time officer for Medina Township. Starting salary based per the OPBA contract, hire date would be May 3, 2018. Mr. DeMichael seconded the motion. Roll call vote: Mr. Radice aye, Mr. DeMichael abstain, Mr. Stopa aye.

**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.

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

**Executive Session for Consideration and Compensation of a Public Employee**

Mr. DeMichael motioned to go into Executive Session for the consideration and compensation of a public employee with the three (3) Trustees, Fiscal Officer and Denny Miller. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa. The Board entered into Executive Session at 8:44 pm.

Mr. DeMichael motioned to reconvene from Executive Session where the three (3) Trustees, Fiscal Officer and Denny Miller were discussing the consideration and compensation of a public employee. Mr. Stopa seconded the motion. The Board reconvened at 9:19 pm. No decisions were made during that meeting

**Service Department Pay Scale for 2018**

**Resolution Number 05032018-009**

Mr. DeMichael motioned to put forth the following Resolution Number 05032018-009 and have it read that our Medina Township Road and Bridge pay scale for 2018 will now be as follows:

Pay ranges for the:

Service Department Superintendent	will be \$23.00 to \$29.00 per hour
Service Department Foreman	full-time with CDL will be \$19.00 to \$24.00 per hour
General Maintenance Laborer	full-time with CDL will be \$17.00 to \$23.00 per hour
General Maintenance Laborer	part-time with CDL will be \$14.50 to \$20.00 per hour
General Maintenance Laborer	without CDL will be \$13.00 to \$17.00 per hour
General Maintenance Laborer	seasonal \$9.00 to \$12.00 per hour

Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

Trustees said this was to bring the pay scale for the Service Department up to date and to keep the employees in their pay scale.

**Hiring of Earl Grim as Part-time Service Department Employee**

**Resolution Number 05032018-010**

Mr. DeMichael motioned to put forth the following Resolution Number 05032018-010 and hire a part-time laborer without CDL to start May 13, 2018, I said part-time with no benefits at \$14.50 per hour and have that individual be Earl Grim. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

**Executive Session for Consideration and Compensation of a Public Employee**

Mr. DeMichael motioned to go into executive Session for consideration and compensation of a public employee with Matt Schley, the three (3) Trustees and Fiscal Officer. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice. The Board entered into executive Session at 9:22 pm.

Mr. DeMichael motioned to reconvene from Executive Session where the three (3) Trustees and the Fiscal Officer were talking with Matt Schley about consideration and compensation of a public employee. It is 10:36 pm. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

**Executive Session for Potential Sale of the Remsen Building**

Mr. DeMichael motioned to go into Executive Session with the three (3) Trustees and Fiscal Officer to discuss the potential sale of the Remsen Road Building. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa. The Board entered into Executive Session at 10:37 pm.

Mr. DeMichael motioned to reconvene from Executive Session where the three Trustees and Fiscal officer were discussing the potential sale of the Remsen Building. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

**Sale of Remsen Building**

Mr. DeMichael motioned to accept the MSA offer as they presented it with the following conditions. This agreement to sell is subject to right of first refusal by Creative Housing that and other than the existing sewage system being operational the sale is as is. Also, note that there has not been previous earnest money deposited, delivered as asserted in the letter of intent. The agreement is subject to formal purchase agreement to be drafted by the parties' attorneys. Please direct the Soccer Association to have their attorney contact Tom Karris to coordinate drafting of the formal agreement. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

**Certified Letters to Medina Soccer Association, Medina Creative Housing and Tom Karris, Asst. Co. Prosecutor**

Mr. DeMichael motioned to have Celia send this out to Medina Soccer as to what transpired here and also Creative Housing so that they know that their 45 day time limit is started. Mr. Radice seconded the motion. The letter will also be sent to Tom Karris. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

TM5/3/18

## OTHER BUSINESS

### Medina Township Log of Public Records Requests

Mr. Stopa motioned to put in place Medina Townships Log of Public Records Requests. It is a sheet that basically keeps track of our public records request in a log book. It has date received, date of response, name of requesting person or entity which could be anonymous but if they want to be anonymous and we do know the name of the person making the request it will be noted underneath it, we can do that, description of records requested, a copy of the release records kept, exemption or redaction if there's any done and the legal authority for the exemption or redaction and then the person filling the request. Mr. DeMichael seconded the motion. Mr. Stopa said this came off the State Auditor's website and this is what the State Auditor uses for all their records requests and it is put out there for any entity to use, public offices and attorney's offices. Mrs. Ventura said they will give them to all department heads and ask them to send them back once a month. This needs to be returned even if there were no records requested in that month. Voting aye thereon: Mr. Stopa, Mr. DeMichael and Mr. Radice.

There was a records request from a person in February who was to contact the Township secretary but never returned the call to make an appointment. Mr. Stopa said if the person makes a request but does not follow through on their request we note it in the file and refile the information.

### Bicentennial Committee Meeting

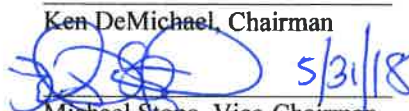
Mr. Stopa said they met with the Bicentennial Committee and a lot of good things came out of it. Chief Arbogast has gotten donations from some of the local businesses for food. We have signs that will be at Blakslee Park. They came up with a logo that they could have put on cups and pins made up. Chief Arbogast will buy a grill. The date is July 14 from 1pm to 5 pm. They are also talking about doing a time capsule.

Trustees gave Matthew a list of items to do and they asked Mrs. Goe to help him out. She is to give him the social media information that we received.

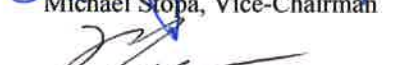
Mr. DeMichael motioned to adjourn. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa. There being no further business to come before the Board the meeting was adjourned at 11:05 pm.




Angela Ventura, Fiscal Officer



Ken DeMichael, Chairman



Michael Stopa, Vice-Chairman



Mark Radice, Trustee

MEDINA TOWNSHIP, MEDINA COUNTY  
**Appropriation Supplemental**  
 May 2018

4/30/2018 7:20:50 PM  
 UAN v2018.1

Post Date	Transaction Date	Account Code	Amount	Resolution Number	Type	Purpose	Budgetary Correction
05/03/2018	04/30/2018	1000-110-190-0000	-\$5,000.00		Permanent	MOVE FUNDS TO COVER <del>COVER</del> COMMUNITY EVENTS	No
05/03/2018	04/30/2018	1000-110-590-5900	\$5,000.00		Permanent	MOVE FUNDS TO COVER <del>COVER</del> COMMUNITY EVENTS	No

APPROVED BY MEDINA TWP. TRUSTEES  
 Date: 5/3/18  
 Trustee Chm. [Signature]  
 Trustee [Signature]  
 Trustee [Signature]



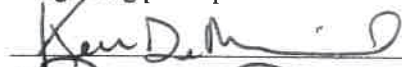



**RESOLUTION AUTHORIZING PARTICIPATION  
IN THE ODOT WINTER CONTRACT (018-19) FOR ROAD SALT**

RESOLUTION # 05082018-008 COPY

**WHEREAS**, the Medina Township, Medina County (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual winter road salt bid (018-19) in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT winter road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the winter road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the winter road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT winter road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the winter road salt contract; and
- d. The Political Subdivision hereby requests through this participation agreement a total of 1500 tons of Sodium Chloride (Road Salt) of which the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its above-requested salt quantities from its awarded salt supplier during the contract's effective period of September 1, 2018 through April 30, 2019; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT winter salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Thursday, June 1, 2018. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: [Contracts.Purchasing@dot.ohio.gov](mailto:Contracts.Purchasing@dot.ohio.gov) by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

**NOW, THEREFORE**, be it ordained by the following authorized person(s) that this participation agreement for the ODOT winter road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT winter salt contract:

	(Authorized Signature)	<u>5/3/18</u>	Approval Date
	(Authorized Signature)	<u>5/3/18</u>	Approval Date
	(Authorized Signature)	<u>5/3/18</u>	Approval Date
	(Authorized Signature)	<u>5/3/18</u>	Approval Date
_____	(Authorized Signature)	_____	Approval Date

**THIS RESOLUTION MUST BE UPLOADED TO THE WINTER SALT PARTICIPATION WEBSITE  
BY NO LATER THAN WEDNESDAY, MAY 18, 2018.**

PLEASE NOTE: THE DEPARTMENT WILL NOT ACCEPT TYPED SIGNATURES. PARTICIPATION AGREEMENTS SUBMITTED WITH TYPED SIGNATURES WILL BE INVALID AND INELIGIBLE FOR APPROVAL. YOU CANNOT SUBMIT A WORD DOCUMENT VERSION OF THIS PARTICIPATION AGREEMENT. NO EXCEPTIONS.



**MEDINA TOWNSHIP TRAVEL EXPENSE RECORD**

Employee Name \_\_\_\_\_ Department \_\_\_\_\_

Address \_\_\_\_\_

Purpose of Trip \_\_\_\_\_

Destination \_\_\_\_\_ Date(s) of Meeting \_\_\_\_\_

Purchase Order \_\_\_\_\_ Date(s) of Travel \_\_\_\_\_

**PLEASE ATTACH ALL ORIGINAL REQUESTED RECEIPTS IN ORDER TO FACILITATE  
YOUR COMPLETE REIMBURSEMENT**

**MILEAGE/PARKING COSTS:** \_\_\_\_\_ miles at \$0.541/2 cents per mile \$ \_\_\_\_\_

Names of other township employees traveling in same vehicle (if applicable) \_\_\_\_\_

Parking fees, gasoline (township vehicles only), turnpike tolls (attach receipts) \$ \_\_\_\_\_

**ACCOMODATION COSTS:** (attach receipts).....\$ \_\_\_\_\_

Names of other employees staying in same hotel room \_\_\_\_\_

**MEAL COSTS:**

Actual costs, per day,  
including maximum 20% tip,  
not to exceed \$50.00

Day 1 \_\_\_\_\_

Day 2 \_\_\_\_\_

Day 3 \_\_\_\_\_

Day 4 \_\_\_\_\_

Day 5 \_\_\_\_\_

**TOTAL MEAL RELATED COSTS:** (attach **ORIGINAL ITEMIZED** receipts and indicate on receipt,  
Breakfast, Lunch or Dinner) \$ \_\_\_\_\_

**OTHER TRAVEL EXPENSES:** Cab or other transportation (attach receipts) \$ \_\_\_\_\_

Rental car (attach receipts).....\$ \_\_\_\_\_

Air or other transportation (attach receipts) \$ \_\_\_\_\_

Registration Fees (attach Receipts).....\$ \_\_\_\_\_

**TOTAL EXPENSES INCURRED AND TO BE REIMBURSED \$** \_\_\_\_\_

Employee Signature \_\_\_\_\_ Date: \_\_\_\_\_

Department Head Signature \_\_\_\_\_ Date: \_\_\_\_\_

3/9/17 Revised

## **COMMUNITY BENEFITS**

Stella's Wellness Center (SWC) believes that in order for a business to be prosperous in the community it is located in, the business must have the support of its community members. That being said, we are excited to join the community of Medina Township, and, along with all of its citizens, help the community grow into a destination people will continually want to come to. Our designated community liaison, Diane O'Donnell, will be available to City personnel along with the community members themselves in order to resolve any and all issues that may arise, and to obtain information as to the community's direct needs and or concerns.

Diane and her sister, Dr. Nancy Stella are successful business owners in Ohio, and this has given them both insight into the importance of forming a bond with the local community and creating local ties. With this in mind, Diane and Nancy, through SWC, are committed to contributing to the growth and success of the community in the following ways:

1. Creating a very attractive business in 3,600 square feet of space in Plaza 71. Both the exterior and interior will be totally refurbished.
2. Hiring between 12 and 14 employees in the first year of operations, bringing new employment and revenue to the Township.
3. Offering all U.S. Military Veterans a 10% discount on all purchases.
4. Establishing a very safe and secure shopping area to the Plaza and the surrounding area. By adhering to the strict security provisions mandated by the State, SWC will have 24 hour a day monitoring through both on site security personnel and a sophisticated camera and detection system. This will not only help the immediate area, but will be a significant deterrent in the broader area around the Plaza. The security feeds can also be made accessible to the local police department, thereby further enhancing community safety.
5. Finally, Diane & Nancy, through SWC, will commit to donating 0.5% of Gross Revenue to Medina Township annually, up to \$50,000 in Year 1, up to \$100,000 in Year 2, and up to \$150,000 in Year 3 and beyond, while SWC is in operation. The use for these donations shall be determined by the Township and its Trustees and not by SWC or its principals.

# Quinnipiac Poll

UNIVERSITY

<https://poll.qu.edu/>

## May 11, 2016 - Florida, Ohio, Pennsylvania, Quinnipiac University Swing State Poll Finds; Voters In All 3 States Back Legalized Marijuana

Ohio voters support 90 - 9 percent legalizing the use of medical marijuana, with no listed voter group under 82 percent.

32b. (OH only) Do you support or oppose allowing adults in Ohio to legally use marijuana for medical purposes if their doctor prescribes it?

	FL	OH	PA
Support	87	90%	90
Oppose	12	9	9
DK/NA	1	1	1

## October 8, 2015 - Florida, Ohio, Pennsylvania Back Pot

Ohio Voters support legalized medical marijuana use 90 - 9 percent; by overwhelming margins, voters in Ohio support legalizing marijuana for medical purposes. On this question, there is no gender gap.

88. Do you support or oppose allowing adults in - (FL) Florida / (OH) Ohio / (PA) Pennsylvania - to legally use marijuana for medical purposes if their doctor prescribes it?

	FL	OH	PA
Support	87%	90%	90%
Oppose	12	9	9
DK/NA	1	1	1

## February 24, 2014 - Ohio Voters Back Medical Marijuana 8-1 Quinnipiac University Poll Finds

By an 87 - 11 percent margin, Ohio voters support the use of medical marijuana, with support of 78 percent or higher from every group measured in a Quinnipiac University poll released today.

43. Do you support or oppose allowing adults in Ohio to legally use marijuana for medical purposes if their doctor prescribes it?

	Tot	Rep	Dem	Ind	Men	Wom	18-29	30-49	50-64	65+
Support	87%	78%	92%	91%	87%	87%	93%	91%	86%	79%
Oppose	11	20	7	8	11	11	6	7	12	19
DK/NA	2	2	1	2	2	2	1	2	2	2









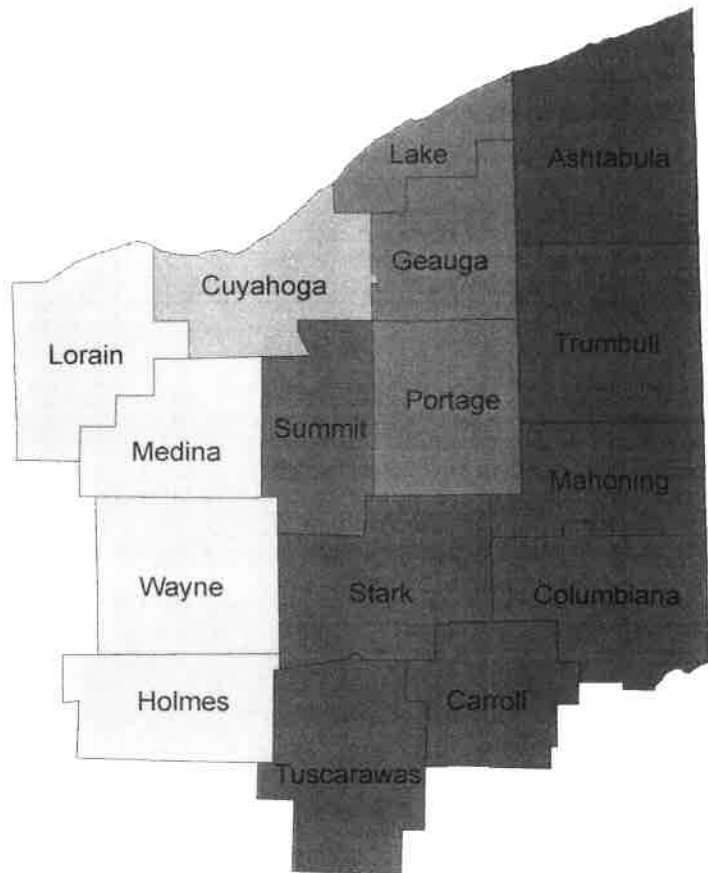
STATE OF  
**OHIO**  
BOARD OF PHARMACY



## NORTHEAST

18 Total Dispensaries

-  **NE DISTRICT 1**  
- 3 Dispensaries
-  **NE DISTRICT 2**  
- 5 Dispensaries
-  **NE DISTRICT 3**  
- 3 Dispensaries
-  **NE DISTRICT 4**  
- 3 Dispensaries
-  **NE DISTRICT 5**  
- 2 Dispensary
-  **NE DISTRICT 6**  
- 2 Dispensaries



MEDINA TOWNSHIP

LOG OF PUBLIC RECORDS REQUEST

DATED FROM: \_\_\_\_\_ TO \_\_\_\_\_

DATE RECEIVED	DATE OF RESPONSE	NAME OF REQUESTING PERSON OR ENTITY	DESCRIPTION OF RECORDS REQUESTED	COPY OF RELEASED RECORDS KEPT		EXEMPTION/ REDACTION	LEGAL AUTHORITY FOR EXEMPTION/ REDACTION	NAME OF PERSON FULFILLING REQUEST
				YES	NO	YES	NO	
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
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20								



# Dave Yost • Auditor of State

Bulletin 2011-006

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## Auditor of State Bulletin

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**Date Issued:** October 21, 2011

**TO:** To All Public Offices and Independent Public Accountants

**FROM:** Dave Yost, Ohio Auditor of State

**SUBJECT:** Best Practices for Responding to Public Records Requests – Updated

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### I. Public Records

#### A. A Hope, a Goal, a Right

The concept of “public records” and access of the people to those records has a rich history in the United States. The Founding Fathers, under English Common Law, knew well the pitfalls and inequities of a government where the records were the property of only an elite few and access to those records was, at best, guarded. In creating this Nation, the Founding Fathers carved out many new democratic rights for citizens. Key among these rights is the ability to participate in government, and the previously unheard-of-right to inspect government records and observe government deliberations. Transparency, after all, makes a more accountable government. Although now firmly secured for Ohio citizens as a “right” by virtue of the Ohio Public Records Act (the “Act”), all public servants have a legal responsibility to ensure that both the letter and spirit of the Act are upheld.

#### B. What does the Ohio Public Records Act require?<sup>i</sup>

Ohio law requires that a public office make public records available for inspection or copying, depending on the request. The time required for a response depends on the type of request.

- (1) If a request is to inspect public records – response must be prompt.
- (2) If copies are requested – those copies must be provided within a reasonable period of time.

As is often noted, the terms “promptly” and “reasonable period of time” are not defined by a specific period of time. Rather, these terms have been interpreted by courts to mean “without delay” and “with reasonable speed,<sup>ii</sup>” and the ultimate determination of “reasonableness” will differ in each case depending on the particular facts and circumstances of a request.<sup>iii</sup> Additionally, courts have held that a “prompt” or “reasonable period of time” includes the time for a public office to (1) identify the responsive records; (2) locate and retrieve records from place of storage; (3) review, analyze and make necessary redactions (or legal review); (4) prepare the requests; and (5) provide for delivery.

Not all documents and information kept by a public office is subject to disclosure under the Act. In these instances, it may be necessary to withhold records or redact the relevant information from the response. When redacting information from a request, the public office is required to notify the requester of any redaction or make the redaction plainly visible.<sup>iv</sup> Additionally, where the request is denied, in whole or in part, including redactions, the public office must provide the requester with a reason, including the legal authority for the denial/redaction.<sup>v</sup>

### **C. Penalties**

What happens when there has been a violation of the Act? A warning? An administrative investigation? No - neither of these items are provided for in the Act. Instead, the Act gives an "aggrieved party" the right to sue in court for the records. There is no other body that alerts a public office that an allegation of noncompliance exists or that litigation may be forthcoming. Therefore, a public office often becomes aware of an allegation of noncompliance through service of a lawsuit.

Penalties provided for in the Act can also be quite severe, depending on the nature of the noncompliance. The penalties can range from a court order to force compliance (a mandamus action) to the awarding of statutory damages, attorneys fees and court costs. In addition, if records are not properly retained in accordance with an approved record retention schedule, a public office may be fined up to \$1,000 per record. Prior to a recent law change, the amount a public office could be fined was not capped. For instance, one court fined a city approximately \$861,000 for improper destruction of public records.

Members of the Ohio General Assembly capped a public office's liability for improper destruction of public records in Ohio's recently-passed operating budget legislation – Am. Sub. House Bill 153 of the 129<sup>th</sup> General Assembly. This new cap limits a public office's liability to a cumulative total of \$10,000, regardless of the number of violations. It also limits attorney's fees to an amount not to exceed the total penalty. According to the Ohio Secretary of State's office, these changes became law on September 29, 2011.

The Ohio Supreme Court also recently clarified who may bring a lawsuit under the Act as an "aggrieved party" for improper destruction of public records.<sup>vi</sup> In the Court's opinion, Justice McGee Brown writes:

"The requirement of aggrievement indicates that a forfeiture is not available to 'any person' who has made a request and discovered that the records were not available due to the public office's violation of R.C. 149.351; it is available *only* to a person who made a request with the goal being to access the public records. If the goal is to seek a forfeiture, then the requester is not aggrieved. The presumption, however, is that a request for public records is made in order to access the records." *Emphasis added.*<sup>vii</sup>

So, if a public office is able to establish that the requester does not actually want records being requested and instead only wants the request to be denied, then a court may conclude that the requester was not aggrieved by destruction of public records. The burden of proof, however, is on the public office to demonstrate this intent, and the risk of litigation is still high.



## **II. Best Practices for Compliance with the Act**

Access to public records is a right that underlies the fundamental principles of democracy. A citizen's right to know how government operates is a right that needs to be protected and preserved.

Ohio public records laws are sometimes confusing, and responding to a request can be burdensome on an already burdened public office. Noncompliance with the laws, however, will be costly to taxpayers.

The Auditor of State's recommendations for best practices are not intended to add to the responsibilities of your office or to place additional burdens on you or your staff. Rather, we hope our recommendations will help a public office streamline its response process and insulate itself from liability in the event of litigation.

In reviewing the requirements of the Act, discussing the practical problems of compliance with local government officials, and also examining the multitude of new public records litigation, it has become clear that additional documentation, organization and early detection would prove beneficial to both the public office and a potential records requester.

### **A. Public Records Log**

In seeking to achieve these goals, we recommend that each public office keep a log of all public records requests not fulfilled at the time they are made. Ideally, this log would include the following components:

- Date of request;
- Name of person or entity making the request (if provided);
- Type of records requested;
- Date of release;
- Legal authority for any redactions/withholdings; and
- Name of person fulfilling the request.

The attachment to this bulletin provides a sample of a public records log similar to one utilized in the Auditor of State's Office and other Ohio public offices. A log, however, may be in any form, *e.g.* a log book, a spreadsheet, or files maintained together.

It is important to note that the maintenance of such a log is not a legal requirement. Rather, it is a recommended best practice that is designed to help public entities ensure compliance with the Act.

The goal of this recommendation is not to create additional work for the public office. Instead, it is the Auditor's hope that, by maintaining all information in a central location, the response process will be streamlined, and the risk of litigation and, ultimately, liability lessened.

### **B. Copies of Public Records Requests**

Another recommended best practice is to make copies of responses to public records requests that include redactions so you know what you have provided. These copies should be kept in accordance with your records retention schedule.

### **C. Other Best Practices**

Other best practices recommended include the following:

- Training employees on how to handle public records requests;
- Assigning a central point of contact for your office or each division/section;
- If a request is in writing, date stamp when you receive the request;
- Notifying legal counsel when a request is received and redactions may be required;
- Acknowledging receipt of a request that requires legal review and possible redactions, include guidance on when you anticipate responding;
- Documenting when you respond to a request; and
- Addressing how long you will maintain copies of public records requests in your records retention schedule.

## **III. Putting the Recommendations for Best Practices to Work**

### **A. What Does this Mean for a Public Office?**

Many public offices record public records requests in some form. Additionally, many public offices have a record of what was released, the date it was released, and what, if any, redactions were made. The Auditor's recommendations for best practice simply suggest keeping all of that information in one central location.

Whether the entity's public records requests are filled by one employee or fielded by multiple staff members, the Auditor's recommendations for best practices will help ensure compliance and accuracy. Relevant employees will be able to identify duplicate or similar requests and be more efficient in the filling, redaction and response.

Finally, the Auditor's recommendations will help a public office protect itself from liability in the event of litigation. The recommended public records log would serve to demonstrate the specifics of compliance in each instance.

### **B. Examples**

*Q. I am a county auditor fulfilling a request for a copy of a map. I am providing a copy at the time the request is made and I am not making any redactions? Am I required to log this request and keep a copy?*

- In this case, a copy of the map was immediately provided to the requestor so the Auditor's recommendation for maintaining a log would not apply. In addition, there were no required redactions so the Auditor's recommendation for keeping copies of the response would not apply.

*Q. I am a county recorder – am I required to log all requests for copies of title records maintained by my office? My office makes these records available for inspection and copying in a public area of my office. Therefore, I fulfill these requests at the time they are requested.*

- Same as above – in this case, these records are made readily available to the public. In addition, copies are immediately provided to the requestor so the Auditor's recommendation for maintaining a log would not apply.

*Q. I am a school district treasurer for a very large school district – does the Auditor’s recommended best practices require that my school hire an additional employee to handle all public records requests and maintain the log?*

- No. Each public office handles its responsibilities under the Act a little bit differently. Some entities do employ a separate public records officer to coordinate and respond to all public records requests. Other entities have several employees, often one in each department/division, that respond to public records requests. Typically, these employees are not employed solely to respond to public records requests. Rather, this is one of several duties that the employee may have. The decision of how to utilize staff and resources is, ultimately, a management decision to be made by each entity. Utilization of the public records log will work in any environment.
- In this case, the school may want to assign a point of contact in each building to handle public records requests.

*Q. I run a city building department. Do I need to log requests for applications for a permit and information submitted as part of that application? Do I need to log when I issue a permit?*

- No. Requests for applications and issuances of permits are outside of the scope of logging recommendations.
- Public offices, however, may want to log requests for copies of permits if copies are not immediately provided to the requestor.

*Q. What if I decide not to implement the Auditor’s recommended best practices? Will the public office I represent be cited for noncompliance in an audit report?*

- No. The Auditor’s recommendations for best practice are not a legal requirement. Rather, they are suggestions to help a public office comply with the Act and limit risk. If a public office, however, lacks controls for compliance with public records requests; this may be noted in an audit report or management letter.

### **C. Court Records**

Ohio courts are subject to the Rules of Superintendence for the Courts of Ohio, adopted by the Supreme Court of Ohio. The Rules of Superintendence establish rights and duties regarding court case documents and certain administrative documents, starting with the statement that “[c]ourt records are presumed open to public access.” Sup. R. 45(A). While similar to the Act, the Rules of Superintendence contain additional or different provisions for these records. As such, this bulletin does not apply to courts. The Rules of Superintendence are available at the link below.

<http://www.sconet.state.oh.us/LegalResources/Rules/superintendence/Superintendence.pdf>.

## **IV. Putting it All Together**

### **A. Open Government or Public Records Hotline—888.877.7760**

In seeking additional ways to aid local governments in compliance, the Auditor has established an Open Government or Public Records Hotline. This hotline is a separate telephone number that links directly to the Auditor’s Open Government Unit. The hotline is available to receive complaints from any person that feels he/she has been aggrieved under the Act.

After receiving a complaint, the Auditor will notify the relevant public office that a complaint has been filed. In addition, staff in the Auditor’s Open Government Unit may forward the complaint to audit staff for review during an entity’s next regular audit. At that point, staff in our Open Government Unit’s involvement is complete. Once notified, the public office has the ability to

address the complaint. The goal of the hotline is to provide the public office with notice and the opportunity to correct any noncompliance before the onset of litigation. While we are not able to provide legal advice, we will also direct public officials to available resources to answer any questions they may have about compliance with the Act.

## **B. Audits**

During the 2012 annual financial or bi-annual financial audit, the Auditor's staff, in a sample of public offices, will analyze a public office's process and procedures to determine if the office has controls to ensure compliance with the Act. Using a log is an example of one of these controls. This inquiry and any additional analysis will aid the Auditor's staff in analyzing any risks facing the public entity and in making recommendations to improve controls in an effort to reduce risks.

We hope these recommendations for best practices will help public offices navigate the requirements of the Act, minimize risk, and, ultimately, provide for more efficiency. Should you have any questions about these best practices, please do not hesitate to contact us at 800-282-0370.



Dave Yost  
Ohio Auditor of State

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<sup>i</sup> This is a general overview of Act and its requirements. For a more complete look at Ohio Public Records Law, including the rights, duties and protections provided, please consult the Ohio Sunshine Manual.

<sup>ii</sup> *State ex rel. Office of Montgomery Cty. Pub. Defender v. Siroki*, 108 Ohio St.3d 207, 2006-Ohio-662, at ¶16; *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St.3d 58, 2002-Ohio-5311, at ¶37; see also, *State ex rel. Wadd v. City of Cleveland*, 81 Ohio St.3d 50,53, 1998-Ohio-444.

<sup>iii</sup> *State ex rel. Morgan v. Strickland*, 121 Ohio St.3d 600, 2010-Ohio-1901 ("Given the broad scope of the records requested, the governor's office's decision to review the records before producing them, to determine whether to redact exempt matter, was not unreasonable."); *State ex rel. Dispatch Printing Co. v. Johnson*, 106 Ohio St.3d 160, 2005-Ohio-4384, at ¶44 (delay due to "breadth of the requests and the concerns over the employees' constitutional right of privacy" was not unreasonable); *State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St.3d 58, 2002-Ohio-5311; *State ex rel. Stricker v. Cline* (5th Dist.), 2010-Ohio-3592 (provision of records within nine business days was a reasonable period of time to respond to a records request.); *State ex rel. Holloman v. Collins* (10th Dist.), 2010-Ohio-3034 (Assessing whether there has been a violation of the public records act, the critical time frame is not the number of days between when respondent received the public records request and when relator filed his action. Rather, the relevant time frame is the number of days it took for respondent to properly respond to the relator's public records request.).

<sup>iv</sup> R.C. 149.43(B)(1).

<sup>v</sup> R.C. 149.43(B)(3).

<sup>vi</sup> See *Rhodes v. New Philadelphia*, Slip Opinion No. 2011-Ohio-3279 (2011).

<sup>vii</sup> *Id.*



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Medina Township

APR 23 2018

Received

April 20, 2018

Medina Township Hall  
3799 Huffman Road  
Medina, OH 44256

Dear Medina Township Trustees:

As the City begins to prepare for the Independence Day celebration, I am writing to inquire if the surrounding townships would be willing to financially participate in this year's event. The fireworks will be on Tuesday, July 3, 2018.

The City of Medina will contribute \$10,000 towards the fireworks display and I am hoping that each township will agree to contribute \$2,500. A total of \$15,000 will provide a wonderful evening of entertainment for everyone in the greater Medina area.

Please let me know as soon as possible if you are able to contribute to this joint project. Payment would not be needed until July 1, 2018 but we need to let our contracted company know an exact amount within the next month.

If you have any questions, please feel free to contact my office at (330) 722-9020. Thank you.

Respectfully,

Dennis Hanwell  
Mayor