

**MINUTES**  
**WADSWORTH CITY COUNCIL MEETING**  
**February 15, 2022**

*The regular meeting of Wadsworth City Council, Tuesday, February 15, 2022, at 5:30 p.m., was held in-person at City Council Chambers.*

**PRESIDING:** Bob Thurber, *President of Council*

**MEMBERS PRESENT:** Ralph Copley, Bruce Darlington, Jeanne Hines, Tom Stugmyer, David Williams, John Yurchiak

**OFFICIALS PRESENT:** Mayor Robin Laubaugh, Director of Public Service Robert Patrick, Public Safety Director Matt Hiscock, Assistant Public Service Director Mike Testa, Law Director Tom Morris, Clerk of Council Tammy Guenther

**PRESS REPRESENTATIVES:** Caleb Hurley, *The Medina Gazette*

**VISTORS SPEAKING:** *None*

**Mr. Thurber** called the meeting to order at approximately 5:30 p.m. He asked everyone to remain standing as he led the Pledge of Allegiance and gave the Invocation. The Clerk of Council called the roll.

**JOINT MEETING OF WADSWORTH CITY COUNCIL AND THE WADSWORTH TOWNSHIP TRUSTEES TO ELECT A MEMBER OF THE WOODLAWN UNION CEMETERY BOARD:**

Mr. Thurber proceeded to the Joint Meeting of Wadsworth City Council and the Wadsworth Board of Township Trustees to elect a member of the Woodlawn Union Cemetery Board. First, he asked for a motion to interrupt the regular Council agenda and expand to a joint meeting.

**Mr. Stugmyer** made the motion, which was seconded by **Mr. Copley**. All were in favor.

**PRESENT:** The Clerk called the attendance roll for both the Township and the City: Engler, Gardner, Williams, Yurchiak, Stugmyer, Rospert, Hines, Darlington and Copley.

The joint meeting was declared to be open.

Mr. Thurber asked for a motion to nominate a member for Township representation on the Woodlawn Cemetery Board for the term expiring December 31, 2024.

Mr. Yurchiak made a motion, which was seconded by Mr. Rospert, to appoint Rick Wallet for the three year term expiring 12/31/24.

Mr. Thurber asked if there were any further nominations for that term. Hearing none, he asked the Clerk to take a roll call vote for the approval of Mr. Wallet. AYES: Yurchiak, Engler, Williams, Gardner, Stugmyer, Rospert, Hines, Stugmyer, Darlington and Copley. NAYS: none. **Mr. Wallet was approved as a member of the Woodlawn Union Cemetery Board for the term expiring 12/31/24.**

Mr. Thurber entertained a motion to close the joint meeting and resume the regular City Council meeting. Mr. Copley made that motion, which was seconded by Mr. Williams. All were in favor. Mr. Thurber declared the joint meeting to be closed and he thanked the gentlemen from the Township for their attendance.

The regular City Council meeting resumed and the Wadsworth Township Trustees departed.

**MINUTES:** Mr. Stugmyer made a motion, which was seconded by Mr. Copley, to adopt the minutes of the Council meeting **February 1, 2022**. An all-in-favor vote was taken and all Council members present voted in favor of the motion, with the exception of Mr. Copley who abstained. He stated that he was not at the meeting. **THE COUNCIL MEETING MINUTES OF February 1, 2022 WERE APPROVED.**

**VISITORS SPEAKING:** *None*

**CORRESPONDENCE:** *None*

**Application for Placement of Land in an Agricultural District and to Set a Public Hearing:**

Mr. Thurber invited the Law Director to come forward to discuss the application.

Mr. Morris said that there had been an application to renew two parcels of land classified as an agricultural district. The Clerk thought it would be a good idea to describe what it meant for the land to have that kind of distinction. Since the Council would have to vote a yes or a no, they would need to know the ramifications, the Law Director said.

Mr. Morris said the districts were created in 1982 under the Farmland Preservation Act. It was distinct from zoning and from the Current Agricultural Use Valuation (CAUV) distinction. They might know CAUV was for tax purposes. It was different, but these were all related to the same issue.

What the agricultural district did, if the land was given this designation, it would prohibit a City from issuing special assessments. Therefore, if they had sidewalk that went in front of them, they could not charge the landowner for it. It prevented the City from subsidizing construction of non-agricultural use. For example, grants could not be given for homeowners to build houses or a smelting plant could not go up in that area. It provided farmers with protections from nuisance lawsuits, say if someone moved there and the smell was horrible, they had moved to the nuisance and there were certain protections under civil litigation. It protected from some eminent domain or made the procedure different.

The classification was for five years, if Council was to say yes, and it could be renewed. This application was an ask for a renewal.

The procedure was that the application was made and there would be a public hearing, which would be on their next agenda, as was Mr. Morris' understanding. Thirty days after that, the Council had to accept, reject or modify it. The standard that they would have to apply in determining whether it was a good idea to accept or reject the application was "will the land in the agricultural district have a substantial or adverse effect on provisions of municipal services." For example, Mr. Morris continued, Could they still put a road there that was needed? As to the efficiency of the land use, was it a farm right in the middle of the center of town that could be used for something else. Was it for orderly growth or development and for the public health and welfare of the municipality? That was the question that was going to be in front of them probably not next time, but the time after that.

The Council members thanked Mr. Morris.

The Clerk noted that the renewal application was received on January 31, 2022 and confirmed with Mr. Morris that the first 30 day window for a public hearing would approach by the next Council meeting of March 1. She asked the Council if that date was agreeable and Mr. Thurber said it was.

**LEGISLATION:**

*The following legislation was read for the first time and acted upon as follows:*

**RESOLUTION NO. 22-02 (1<sup>st</sup> RDG.): A FINAL RESOLUTION IN REGARD TO FEDERAL PROJECT NO. E 161173 CONSISTING OF REPLACING BRIDGE NO. MED-57-0137 (SFN 5201802) LOCATED ON WADSWORTH ROAD (S.R. 57) OVER BLOCKERS CREEK, INCLUDING APPROACH WORK, GUARDRAIL, SIGNAGE, AND PAVEMENT MARKINGS AND CONSTRUCTION OF A SINGLE-LANE ROUNDABOUT AT THE WADSWORTH ROAD (S.R. 57)/SEVILLE ROAD (C.R. 16) INTERSECTION, INCLUDING DRAINAGE, WATERMAIN WORK, LANDSCAPING, LIGHTING, SIGNAGE, AND PAVEMENT MARKINGS, LYING WITHIN THE CITY OF WADSWORTH, COMMITTING ONE MILLION TWO HUNDRED TWENTY THOUSAND ONE HUNDRED NINETY-FOUR AND 00/100 DOLLARS (\$1,220,194.00) FOR SAID IMPROVEMENT AS PREVIOUSLY APPROPRIATED IN THE 239 MVL PERMISSIVE TAX FUND, 249 ROUNDABOUT AT SR57 & SEVILLE RD. FUND, 471 STREET IMPROVEMENT PROGRAM, 673 WATER SYSTEMS IMPROVEMENT FUND, AND 680 ELECTRIC TRANSMISSION/SUBSTATION FUND, AGREEING TO ASSUME IN THE FIRST INSTANCE THE SHARE OF THE COST AND EXPENSE OF THE IMPROVEMENT WITHIN THE CITY LIMITS OVER AND ABOVE THE AMOUNT TO BE PAID FROM FEDERAL-AID AND STATE FUNDS, REQUESTING THE DIRECTOR OF TRANSPORTATION TO PROCEED WITH THE AFORESAID HIGHWAY IMPROVEMENT, AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION PROVIDING FOR PAYMENT BY THE CITY OF WADSWORTH OF THE SUM OF MONEY SET FORTH HEREIN ABOVE FOR IMPROVING THE DESCRIBED PROJECT AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Discussed by Public Ways Committee February 14, 2022
- PID No. 94438 Federal Project No.: E161173

Mr. Williams addressed the President and members of Council, saying that the item had been before them since last year, though he could not tell them exactly. The final resolution was discussed last evening in the Public Ways Committee. They were being asked to spend \$1,220,000 of their citizens' money. The state was late in getting information to them. He believed from an email that they hadn't gotten it until January, but they wanted Council to act on it that night to meet the state's deadline. Mr. Williams asked if there were any questions from Council.

Mr. Darlington said that he had gone through the budget book to try and find where the money had been appropriated. He saw in the 249 fund that there was less than \$500,000. He knew some other funds were listed in the legislation, such as the water fund and the electric fund. Mr. Darlington asked whether the rest of the money was coming from those.

Mr. Thurber asked if Mr. Patrick wanted to address that.

**Mr. Patrick** said that the accounts were listed in the legislation with the monies coming out to pay the City's share. The City also had the OPWC (Ohio Public Works Commission) amounts for this year, with both \$400,000 of grants and around \$86,000 of a loan that they would be using for this project as well.

Mr. Darlington said he just wanted to know where the money was coming from.

Mr. Williams asked for any other questions from Council and there were none.

Mr. Williams made a motion, which was seconded by Mr. Darlington, to suspend the three reading rule on Resolution No. 22-02. A roll call vote was taken. Ayes: Hines, Rospert, Darlington, Yurchiak, Williams, Copley, Stugmyer. Nays: none. Mr. Williams called the question. Mr. Thurber called for a vote. Ayes: Rospert, Darlington, Yurchiak, Williams, Copley, Stugmyer, Hines. Nays: none. **Resolution No. 22-02 declared to have been adopted February 15, 2022.**

**ORDINANCE NO. 22-012 (1<sup>st</sup> RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT, AND APPLY FOR AND ENTER INTO GRANT AGREEMENTS WITH THE FEDERAL AVIATION ADMINISTRATION AND THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE AIRPORT PAVEMENT REPAIRS PROJECT AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee February 14, 2022

Mr. Williams stated that the ordinance had been discussed last night in Public Ways Committee. It was a grant for much needed repairs at the airport. Again, there was a timeline that had to be met.

Mr. Williams made a motion, which was seconded by Mr. Darlington, to suspend the three reading rule on Ordinance No. 22-012. A roll call vote was taken. Ayes: Darlington, Yurchiak, Williams, Copley, Stugmyer, Hines, Rospert. Nays: none. Mr. Williams called the question. Mr. Thurber called for a vote. Ayes: Yurchiak, Williams, Copley, Stugmyer, Hines, Rospert, Darlington. Nays: none. **Ordinance No. 22-012 declared to have been adopted February 15, 2022.**

**ORDINANCE NO. 22-013 (1<sup>st</sup> RDG.): AN ORDINANCE TO MAKE A SUPPLEMENTAL APPROPRIATION OF \$16,151.47 IN THE 212 EMERGENCY MEDICAL SERVICES FUND FOR PURPOSES OTHER THAN PERSONAL SERVICES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022**

- Sponsored by Council Member Ralph Copley
- Discussed in Public Safety Committee February 15, 2022

Mr. Copley said, as the Clerk state, the Public Safety Committee had discussed the ordinance that night. Mr. Hiscock did a fine job explaining it. This money was due back to the federal government by February 28.

Mr. Copley made a motion, which was seconded by Mr. Williams, to suspend the three reading rule on Ordinance No. 22-013. A roll call vote was taken. Ayes: Williams, Copley, Stugmyer, Hines, Rospert, Darlington, Yurchiak. Nays: none. Mr. Copley called the question. Mr. Thurber called for a vote. Ayes: Copley, Stugmyer, Hines, Rospert, Darlington, Yurchiak, Williams. Nays: none. **Ordinance No. 22-013 declared to have been adopted February 15, 2022.**

**ORDINANCE NO. 22-014 (1<sup>st</sup> RDG.): AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE REPAIRING, REPLACEMENT, OR CONSTRUCTION OF CERTAIN SIDEWALKS**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee February 14, 2022

Mr. Williams made a motion, which was seconded by Mr. Copley, to remove Ordinance No. 22-014 from the Council agenda. An all in favor vote was taken and all Council members voted in favor of the motion. **Ordinance No. 22-014 was removed from the Council agenda February 15, 2022.**

*The following legislation was read for the second time, having been previously read at different meetings on different days, and acted upon as follows:*

**ORDINANCE NO. 22-011(1<sup>st</sup> RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS FOR, AND AWARD CONTRACTS FOR THE 2022 STREET IMPROVEMENT PROGRAM PROJECTS CONSISTING OF THE CONSTRUCTION OF IMPROVEMENTS OF CERTAIN CITY STREETS AND ALL APPURTENANCES AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- To be discussed by Public Ways Committee February 14, 2022

Mr. Williams said that the ordinance was part of the Street Improvement Program and they had had one reading. The earlier that the bids went out, the better traditionally the prices had been.

Mr. Williams made a motion, which was seconded by Mr. Copley, to suspend the three reading rule on Ordinance No. 22-011. A roll call vote was taken. Ayes: Stugmyer, Hines, Rospert, Darlington, Yurchiak, Williams, Copley. Nays: none. Mr. Williams called the question. Mr. Thurber called for a vote. Ayes: Hines, Rospert, Darlington, Yurchiak, Williams, Copley, Stugmyer. Nays: none. **Ordinance No. 21-011 declared to have been adopted February 15, 2022.**

That concluded the legislation for the evening.

**OTHER BUSINESS:** Mr. Thurber asked for any other business from the Administration. He asked for additional comments or questions from City Council members.

Mrs. Hines congratulated Mr. Dale Tittle on his retirement. She thanked him for his many years of service and wished him well.

There were no further comments. Mr. Thurber asked for a motion to adjourn.

**ADJOURNMENT:** Mr. Williams made a motion to adjourn, which was seconded by Mr. Stugmyer. All were in favor. **The meeting was adjourned at approximately 5:52 p.m.**

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Clerk of Council

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President of Council