

MINUTES
WADSWORTH CITY COUNCIL MEETING

April 20, 2021

The regular meeting of Wadsworth City Council, Tuesday, April 20, 2021, at 5:00 p.m., was held through means of both electronic video conferencing and in-person attendance at City Council Chambers. It was broadcast live on City Link Channels 17 & 329 and on Spectrum Channel 1024 at the scheduled time, and was streamed live at WatchWCTV.com.

PRESIDING: Bob Thurber, *President of Council*

MEMBERS OF COUNCIL PRESENT: Ralph Copley, Bruce Darlington, Patty Haskins, Jeanne Hines, Tom Stugmyer, David Williams, Jon Yurchiak

OFFICIALS PRESENT: Mayor Robin Laubaugh, Director of Public Service Robert Patrick, Director of Public Safety Matt Hiscock, Director of Law Director Tom Morris, Clerk of Council Tammy Guenther via Zoom

PRESS REPRESENTATIVES: *None*

OTHERS PRESENT OR SPEAKING: *None*

Mr. Thurber called the meeting to order at approximately 5:00 p.m. He led the Pledge of Allegiance and gave the Invocation. The Clerk of Council called the roll.

MINUTES: **Mr. Williams** made a motion, which was seconded by **Mr. Stugmyer**, to adopt the minutes of the Council meeting **April 6, 2021**. An all-in-favor vote was taken and all Council members present voted in favor of the motion. **THE COUNCIL MEETING MINUTES of April 6, 2021 WERE APPROVED.**

LEGISLATION:

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

ORDINANCE NO. 21-024 (1st RDG.): AN ORDINANCE TO MAKE A SUPPLEMENTAL APPROPRIATION OF \$43,439.91 IN THE 110 – GENERAL FUND AND THE 212 EMERGENCY MEDICAL SERVICES FUND FOR PERSONAL SERVICES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021

- Sponsored by President of Council Bob Thurber
- Discussed at Public Safety Committee April 20, 2021 with recommendation to suspend and call.

Mr. Copley made a motion, which was seconded by Mr. Stugmyer, to suspend the three reading rule on Ordinance No. 21-024. A roll call vote was taken. Ayes: Darlington, Hines, Williams, Stugmyer, Haskins, Yurchiak, Copley. Nays: none. Mr. Copley called the question. Mr. Thurber called for a

vote. A roll call vote was taken. Ayes: Hines, Williams, Stugmyer, Haskins, Yurchiak, Copley, Darlington. Nays: none. **Ordinance No. 21-024 declared to have been adopted April 20, 2021.**

ORDINANCE NO. 21-025 (1st RDG.): AN ORDINANCE TO CHANGE THE ZONING DISTRICT CLASSIFICATION OF PERMANENT PARCEL NUMBER NOW KNOWN AS 038-17B-20-033 ALSO NOW KNOWN AS 778 AKRON ROAD FROM THE EXISTING WADSWORTH TOWNSHIP ZONING DISTRICT CLASSIFICATION TO THE CITY OF WADSWORTH R-1 RESIDENTIAL DISTRICT ZONING CLASSIFICATION UPON ANNEXATION INTO THE CITY OF WADSWORTH BY RESOLUTION NO. 21-03 AND DECLARING AN EMERGENCY

Council Set the Public Hearing for June 1, 2021, at 5:00 p.m.

- Sponsored by Council Member Thomas Stugmyer
- Discussed by Economic Development & Planning Committee April 5, 2021

Mr. Stugmyer confirmed with Council that no member objected to the setting of the public hearing for June 1, 2021.

Mr. Stugmyer made a motion, which was seconded by Mr. Yurchiak, to place Ordinance No. 21-025 on second reading. An all in favor vote was taken and all Council members present voted in favor of the motion. **Ordinance No. 21-025 advanced to second reading for the meeting of May 5, 2021.**

ORDINANCE NO. 21-026 (1st RDG.): AN ORDINANCE GIVING CONSENT TO THE OHIO DIRECTOR OF TRANSPORTATION TO CRACK SEAL VARIOUS ROUTES WHICH INCLUDE INTERSTATE ROUTE 76 WITHIN THE CITY OF WADSWORTH IN MEDINA COUNTY, THE LIMITS OF CRACK SEALING ON INTERSTATE ROUTE 76 ARE FROM SLM 0.73 (RAMP AT THE IR76/IR71 INTERCHANGE) TO SLM 7.34 (0.10 MI. WEST OF SR57) IN THE CITY OF WADSWORTH IN MEDINA COUNTY AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- **PID No. 104254 Project Name: D03-CRSEAL-FY2022**

Mr. Williams commented that the legislation was new to the agenda and hadn't been discussed at Public Ways. He asked Mr. Patrick to comment further. Mr. Patrick said it was for crack sealing on I-76, throughout the City. Just as they had done last fall, with the placement of signs on I-76, ODOT came to the municipality with that portion of interstate to ask, essentially, for permission to do that work. There was no cost to be incurred by the City. The ordinance was meant to give approval. Crack sealing was a preventative maintenance measure that was good to do as it helped the roadway to last longer. He recommended that Council move forward with it. The agency would like to have the legislation as soon as possible.

Mr. Williams confirmed that there were no questions and made a motion, which was seconded by Ms. Haskins, to suspend the three reading rule on Ordinance No. 21-026. A roll call vote was taken. Ayes: Williams, Stugmyer, Haskins, Yurchiak, Copley, Darlington, Hines. Nays: none. Mr. Williams called the question. Mr. Thurber called for a vote. A roll call vote was taken. Ayes: Stugmyer, Haskins, Yurchiak, Copley, Darlington, Hines, Williams. Nays: none. **Ordinance No. 21-026 declared to have been adopted April 20, 2021.**

ORDINANCE NO. 21-027 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE A 15' FIRST RESPONSE SYSTEM FROM HENDERSON PRODUCTS, INC. THROUGH PARTICIPATION IN A SOURCEWELL, FORMERLY NATIONAL JOINT POWER ALLIANCE (NJPA), CONTRACT AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams

Mr. Williams asked Mr. Patrick to explain the legislation. Mr. Patrick indicated that Public Ways had briefly talked about the ordinance, but he'd not had firm information about it. It authorized the purchase of a snow and ice body for the City's large, tandem axle truck that they purchased last year. It was an item that had been budgeted for that year. They had gone through the process of demo-ing two different units over the last two years, from the manufacturers of these units. Both performed well, but the one that did the best was the unit they saw in front of them. It cost less than the other unit. They'd budgeted about \$110K and this unit came in at about \$81K. They reached out for quotes, with this one through Sourcewell, a national purchasing alliance to which the City belonged, and similar to the state bid process with a separate party that went out to do the process to get good pricing and discounts from the manufacturer. Mr. Patrick talked to them and was apprised of some cost increases coming up at the end of the month due to surcharges, steel prices and other factors related to Covid. If Council could pass the ordinance now, they could get that price, but it would increase by \$10K. Mr. Patrick had asked for a little bit of an extension until the first week of the month so as to give Council some time to think about it and talk about it more at the Wednesday (due to elections), May 5 meeting. If they wished, they could pass it at that point. He offered to answer any questions.

Mr. Darlington said he missed hearing exactly what the equipment was. Mr. Patrick said it was an insert that would go into the big dump that they had. As they knew, the City had trucks that had tailgate spreaders on them so salt was loaded and spread. The mechanism went back and forth and pushed salt to the back of the truck. The equipment was something they'd looked at using and was not uncommon in the industry. It was a large insert that went into the dump bed. It had a number of different features that were different than just the spreader that the City currently had. It had the capacity to spread salt, but had a spreader that allows the salt to be broadcast in many different and wider-ranged directions than what they currently owned. Mr. Darlington asked if they could choose the direction. Mr. Patrick said it could directionally go to different lanes. It could spread two lanes, skip the middle lane. The biggest feature was that it could spread multiple lanes. When this truck, the largest one, was on High Street or SR-26, there were times when it could spread multiple lanes, such as late at night or early in the morning. It could spread three lanes at one time where the current truck spread one lane at a time, which represented a big efficiency. It had some other features, such as spreading salt brine. It had greater capacity than another truck they had for that material. This was for pre-treating and getting ahead of a storm, depending on how it came in. Those were the two, big reasons for the purchase. He hoped to get it ordered soon (there was a big lead time) to hopefully get it in time for the next winter.

There were no further questions.

Mr. Williams made a motion, which was seconded by Mr. Yurchiak, to place Ordinance No. 21-027 on second reading. An all in favor vote was taken and all Council members present voted in favor of the motion. **Ordinance No. 21-027 advanced to second reading for the meeting of May 5, 2021.**

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. 21-021 (2nd RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO SELL ONE 2006 JACOBSEN HR 511 MOWER WITH ESTIMATED VALUE OF ONE THOUSAND DOLLARS OR MORE BY THE METHOD SET FORTH IN SECTION 721.15 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee April 5, 2021

Mr. Williams made a motion, which was seconded by Mr. Copley, to place Ordinance No. 21-021 on third reading. A roll call vote was taken and all Council members present voted in favor of the motion. **Ordinance No. 21-021 advanced to third reading for the meeting of May 5, 2021.**

ORDINANCE NO. 21-022 (2nd RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) ANNUAL ROAD SALT BID IN ACCORDANCE WITH DIVISION (B) OF SECTION 5513.01 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee April 5, 2021

Mr. Williams made a motion, which was seconded by Ms. Haskins, to suspend the three reading rule on Ordinance No. 21-022. A roll call vote was taken. Ayes: Haskins, Yurchiak, Copley, Darlington, Hines, Williams, Stugmyer. Nays: none. Mr. Williams called the question. Mr. Thurber called for a vote. A roll call vote was taken. Ayes: Yurchiak, Copley, Darlington, Hines, Williams, Stugmyer, Haskins. Nays: none. **Ordinance No. 21-022 declared to have been adopted April 20, 2021.**

That concluded the legislation for the meeting.

OTHER BUSINESS:

Sidewalk Program: Mr. Williams spoke about the sidewalk program in Ward Two and was sure other Council members had spoken with residents there. Some people had fallen on hardships with Covid and the government shut-down and economy. There were some financial burdens. He had talked with Mr. Patrick about possibly doing some deferments, but thought Mr. Patrick came up with a good plan. If Mr. Patrick had time, he asked if he would talk about what they'd discussed.

Mr. Patrick said there had been a lot of questions, with about 10 calls from people from that area in regard to sidewalks. Some people asked the City to come out to look and make sure there were

no tree-related issues. He gave an overview of the whole process to refresh everyone as to how the billing would work.

As everyone knew, the responsibility for sidewalk maintenance fell on the homeowners based on ordinances and the code. That included shoveling and otherwise maintaining. The program was meant to help solve problems that were maybe not taken care of. The City investigated all of the streets and sidewalks in this area to see if certain requirements were met. There were a multitude of issues that a sidewalk could have to meet the requirement to be replaced. Something the City was doing now that had not been done in past programs, was if the existing issue was due to the street tree, it would be appropriate for the City to take care of that problem. The City did own the street trees, planted and maintained them, so it made sense to do that as part of the program.

The issues not related to street trees could be any number – settling, for example. Some homeowners did replace or fix them. He'd just gotten an email from a homeowner (not in the targeted area) who saw someone fall and fixed the sidewalk. The City had gone out and determined it was the homeowner's responsibility. The person had actually told the City exactly what they wanted to do and the work was taken care of quickly. It was something that happened on a regular basis.

With the current sidewalk program, the Engineering Department marked all the issues. It was something they talked about in the Public Ways Committee and was in this year's budget to move forward. The first piece of legislation was the Resolution of Necessity for the project. After adoption, letters were sent to all of the property owners with information to explain the process and what could be expected moving forward. They were given a certain time period to fix their sidewalk issues. There was a timeframe for homeowners to fix it themselves or get a contractor to fix it if the individuals elected to do that. If they elected to not do that, the City went back out and looked at all of the sidewalks again in the area to see who did not fix a problem and where the street trees were a problem.

Later in the summer, the City would engage in a bid process to get a contractor to solve all of the problems for a cost. They would go down the street and take care of all of the remaining issues. After that step was finished sometime in the fall, the City would receive a final bill. The City's Engineers would evaluate the costs per square foot as to what was the responsibility of both the homeowners and the City. They looked at actual amounts billed to pay out to the contractor.

They then went through another process for assessment, which would likely be after the first of the new year. Bills would be sent to homeowners for the actual cost that the City paid to the contractor. Homeowners would have a certain amount of time to pay for it. If no payment was received, the City would send the amounts to the County, which would be added to the property taxes for the residence as an assessment. This step would occur sometime next spring, Mr. Patrick estimated. He did not think the assessed amounts would actually be sent to the property owner until the following year. With property tax assessments, it took about six months to one year so there was a delay. If the amount was, say \$200.00, the City sent it to the County and the County spread the amount for payment over five years, so the cost to the taxpayer would be \$40.00 a year or \$20.00 a half year.

As they could see, the work was done in the fall. They'd gone out and identified the problems and given notice to the property owners to take care of the problem. If they didn't the City would step in and get someone to fix it and then go through all of the processes to true things up; to send the bills, probably next spring; and send it to the County so those who did not pay would see it on their tax bills in 2023 with a five year payment period. They could look at the payments as almost a deferral for some of the folks who were struggling. It was never a good time to levy assessments, but particularly in the times they were now in. Still there were problems out there and like many infrastructure problems, they needed to continue making progress and get the program back on schedule. Next year, they would do another section.

At the end of the day, for those who wished not to pay up front, it would be a deferral.

Mr. Stugmyer asked about next year's program and potential delays therein for an upcoming group: how would those be taken care of? Mr. Patrick said it would be the same process, but for starting a year later. He thought it would be ideal to start the process as early as possible so the City could go through the notifications, get the work done, bills out to folks and maybe get paid in that year. On the City's side, they talked about budgets and the transfer of monies to the funds. But it was a long process with multiple pieces of legislation. It seemed easy off of the bat, but it took a lot of time and many steps. At the end of the day, they were trying to help people fix those problems and the street tree-related problems as well.

Mr. Williams appreciated the explanations. To clarify, the City sent out an engineer's estimate in the letter, which could possibly not be that much in most cases. When they got the true price was when people were billed. Mr. Patrick said it was a great point. The letters sent out contained a list of amounts and it was an estimate. They did their very best and it was a middle of the road of pricing for what the City saw out there. They obviously didn't come in too low or too high. Costs fluctuated based on work load, quantities, and commodity prices. All those came into play. He anticipated – as they'd seen over the last year – projects came in under bid. He was very hopeful that someone could do the work for less. So all the amounts that people got in a bill, if they chose not to do it themselves, would probably contain a cost that was actually less. It was an estimate though.

Ms. Haskins observed that a company came in and realized they could pick up 20 different jobs and would lower the price in order to get the jobs. That was her experience with her sidewalks.

Mr. Copley asked whether the City was only doing one ward that year. He saw the Engineering Department in Ward One in the past week, measuring sidewalks, but they didn't mark any of them. Were they getting ahead of the game? Once they measured and saw two and or three inches up, they were aware of the problem on Clark Road. Those that Mr. Copley had seen were caused by trees. Would those be fixed this year? Mr. Patrick did not exactly know what the complaint was, but Mr. Copley said, no, the engineer was walking the street but made no marks. Mr. Patrick was not sure what they were doing that day, but if it was sidewalk related – and they go these regularly – the City would go out and inspect to see if it met the criteria for a street tree problem. They went through a similar process. If it was a street tree, the City would thank the resident for bringing it to their attention and the Parks Department would determine if the tree could stay or not. They would put it on a list and make those repairs this year. But if it was a

private issue and now that the City knew about it, a letter would be sent regarding a potential problem or safety hazard with a 90-day timeframe for fixing the problem. Mr. Copley understood that the remediation could happen anywhere in the City. That was his question and Mr. Patrick confirmed. Every City had sidewalk issues, he said, and there were problems everywhere that they wanted to address when they were known. The sidewalk program focused on one area to do a thorough job there. The area picked was Ward Two because it was one of the oldest areas that they had last been in and it was one of the older areas in town, so more issues. Next year, the City would target another area. One ones and twos would continue to come up throughout the year. Mr. Copley thanked the Service Director

Mr. Williams noted Ward Three and some of the trees he'd sent to Mr. Patrick. He saw that the City was out marking them.

Praise for Drew Bicksler: Mr. Williams said he had one more comment. He thought that Drew Bicksler did a wonderful job. He didn't know what the City was paying him, but he deserved a raise. Mr. Thurber was sure he appreciated hearing that.

Fire Levy / May 4: Mr. Thurber stated that the next Council meeting was May 5 and the reason for that would be discussed by Mr. Hiscock.

Mr. Hiscock said he would take a few minutes to remind everyone that on May 4 the Fire Levy was on the ballot. He hoped they all got out and supported the Fire Department by voting yes. It was a 1.5 mil, five year levy. It was a capital-only levy that was attached and associated with assessed property values. It had been since 2005 that the City had an approved levy and 2010 since any collections were made. The department had done a wonderful job in managing the taxpayers' dollars to make sure they were efficient in the use of those particular funds.

There was lots of information about the levy – its purpose and intent – on the Fire Department's webpage, which could be visited through the City's website. In addition, the public could find information about frequently asked questions, site selection processes, the 2016 Fire Station Study, and other good information for those interested and wanted to know more about the levy.

People could also find information at the "Friends of the Fire Levy" Facebook and social media pages. They'd been doing a lot of efforts for educating and answering questions from the public. There was more out there to do and they were working hard in support of the fire levy. Mr. Hiscock asked people to encourage friends and family to vote yes for the fire levy on May 4.

Spring Cleanup Week: Ms. Haskins offered the reminder that this was Spring Cleanup Week and extra items could be put out for collection and disposal. She couldn't say enough good about their Sanitation Department. They did a wonderful job weekly and this was an added feature for the community. She thanked them dearly for removing items that she put out as they direly needed removed!

Opening City Council to Visitors: Mr. Thurber thought they ought to open the meetings to visitors. They did not typically have many, but it was important. He thought the first of June might be good. He was open to thoughts and questions and encouraged individuals to reach out.

He observed that many other places were opened now. He mentioned restaurants and churches. Ms. Haskins asked about limits on numbers of people who could be in Council Chambers. Mr. Thurber would check with Medina County. Ms. Haskins would like to see that that was done.

ADJOURNMENT: Mr. Copley made a motion to adjourn, which was seconded by Mr. Stugmyer. All were in favor. **The meeting was adjourned at approximately 5:33 p.m.**

Clerk of Council

President of Council