

**MINUTES**  
**WADSWORTH CITY COUNCIL MEETING**

**June 1, 2021**

*The regular meeting of Wadsworth City Council, Tuesday, June 1, 2021, at 5:00 p.m., was held in-person at City Council Chambers.*

**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, Asst. Public Service Director Michael Testa, Director of Law Director Tom Morris, and Clerk of Council Tammy Guenther

**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:** **Ms. Haskins** made a motion, which was seconded by **Mr. Stugmyer**, to adopt the minutes of the Council meeting **May 18, 2021**. An all-in-favor vote was taken and all Council members present voted in favor of the motion. Mr. Copley abstained from the vote as he did not attend the meeting of May 18. **THE COUNCIL MEETING MINUTES of May 18, 2021 WERE APPROVED.**

**CORRESPONDENCE:** **Ms. Guenther** reported two notices received from the Division of Liquor Control. The first was in regard to a transfer of liquor license from Spunkmeyers' Pub & Patio at 991-993 High St. TO: E & F Entertainment LLC Spunkmeyers' Pub, D/B/A Spunkmeyers Pub & Patio at the same address.

The second notice was also a transfer of liquor license from B A R Smith INC., D/B/A South End Tavern at 377 Main St. & Patio, TO: Retro Inc. LLC, Retro Inc. Bar & Grille DBA South End Tavern at the same address.

The notices were distributed to all Council members and if no one requested hearing, the Clerk would return the applications to the Division of Liquor Control and mark them, "no hearing requested."

**Mr. Copley** asked the Public Safety Director if he was aware of any issues at either one of the places.

**Mr. Hiscock** said, in anticipation of that question, he pulled some reports from the Police Department. He shared information in regard to Spunkmeyers' Pub. They search back to 2016 through 2021 and there were 65 police responses to that establishment, which resulted in 11 enforcement actions. He noted for Council that, due to the nature of the business, it was not unfamiliar to have law enforcement called to those types of businesses for many different things. It could be anything from an alarm drop to

disagreements between patrons. Only 11 of them resulted in enforcement actions by the Police Department in the last five years.

Mr. Copley asked if any of the actions were the result of underage consumption. Mr. Hiscock did not believe so.

In regard to the South End Tavern at 377 Main Street, Mr. Hiscock said, there were 72 calls for responses from the Police Department, and also resulting in 11 total enforcement actions. There were no underage enforcement actions reported to him.

Mr. Copley thanked him and Mr. Thurber asked for other thoughts and questions. There were none.

**PUBLIC HEARING ON ORDINANCE NO. 21-025:**

Mr. Thurber noted a memo sent out by the Planning Director in regard to the public hearing that evening and the recommendations of the Planning Commission. He asked if Mr. Patrick would have anything to add. Mr. Thurber said that due to holding meetings remotely, individuals interested in speaking to the changes were invited to submit their comments in writing, or to ask for instructions to join the meeting (none were received). **He declared the public hearing to be open.**

The Clerk read the ordinance: **ORDINANCE NO. 21-025: 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**

The Council President asked if anyone in the audience wanted to speak at that time. Seeing none, Mr. Thurber invited Mr. Patrick to come forward with his comments.

Mr. Patrick thanked Mr. Thurber and confirmed that the Planning Director had sent out a memo explaining the change. He thought it was well-known to all of them after of having a number of different pieces of legislation over the last couple of months. The ordinance was for the 3.2 acres on Akron Road that had been annexed to the City and approved by Council in the middle of May, at the last Council meeting. The task was now to set the zoning. As they knew, as properties came in to the City, the zoning was established.

Planning Commission held their public hearing on April 12, 2021 to consider the parcel and to recommend zoning for the property with the R-1. The reason for that was that all the property in the general vicinity, in the City around it, was R-1 and had been developed as single family dwellings. That was what they had been told would happen to these lots, as they would be re-platted and that subdivision would become part of the Leeds Gate allotment. These were the reasons why the Planning Commission determined R-1 as the most appropriate zoning class for that lot. On the back of the supporting document, they could see a map of the particular lot and the City zoning that directly adjoined it.

Mr. Patrick said he would be happy to answer any questions. Mr. Thurber said they'd been over it several times and asked for any additional questions. There were no questions. **Mr. Thurber declared the public hearing on Ordinance No. 21-025 was closed.**

He added that Per the Rules of Council, no. 17, Council did not typically vote on the legislation on the night of a public hearing, though Council at times did at times suspend Council Rule 17.

Mr. Thurber asked for the reading of the legislation.

**LEGISLATION:**

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

**ORDINANCE NO. 21-034 (1<sup>st</sup> RDG.): AN ORDINANCE ACCEPTING PUBLIC RIGHT OF WAY AS SHOWN ON THE PLAT CONSOLIDATING WADSWORTH CITY LOTS 6462 AND 10150, CREATING NEW WADSWORTH CITY LOT 10164 AS APPROVED BY THE PLANNING COMMISSION ON MAY 10, 2021 AND DECLARING AN EMERGENCY**

- Sponsored by Council Member Thomas Stugmyer

Mr. Stugmyer referred to the nature of the ordinance for re-doing the public right of way, and made a motion which was seconded by Mr. Williams, to suspend the three reading rule on Ordinance No. 21-034. A roll call vote was taken. Ayes: Stugmyer, Yurchiak, Williams, Haskins, Darlington, Copley, Hines. Nays: none. Mr. Stugmyer called the question. Mr. Thurber called for a vote. A roll call vote was taken. Ayes: Yurchiak, Williams, Haskins, Darlington, Copley, Hines, Stugmyer. Nays: none. **Ordinance No. 21-034 declared to have been adopted June 1, 2021.**

The Clerk noted four new ordinances added to the agenda for a first reading. They were discussed prior to Council in the Public Service Committee.

**ORDINANCE NO. 21-035 (1<sup>st</sup> RDG.): AN ORDINANCE AUTHORIZING THE EXISTENCE OF REAL AND PRESENT EMERGENCY IN CONNECTION WITH THE OPERATION AND MAINTENANCE OF THE DEPARTMENT OF PUBLIC SERVICE NECESSITATING AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH ITRON FOR AN UPGRADE TO THE EXISTING METER DATA MANAGEMENT SYSTEM BEING USED BY THE ELECTRIC DEPARTMENT WITHOUT FORMAL BIDDING AND ADVERTISING, AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO SUCH A CONTRACT WITHOUT FORMAL BIDDING AND ADVERTISING AND DECLARING AN EMERGENCY**

- Sponsored by Council Member Bruce Darlington
- Discussed by Public Service Committee June 1, 2021

Mr. Darlington made a motion, which was seconded by Ms. Haskins, to place Ordinance No. 21-035 on second reading. An all in favor vote was taken and all Council members present voted in favor of the motion. **Ordinance No. 21-035 advanced to second reading for the meeting of June 15, 2021.**

**ORDINANCE NO. 21-036 (1<sup>st</sup> RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF THE WTP (WATER TREATMENT PLANT) IMPROVEMENTS - PHASE 1 PROJECT AND DECLARING AN EMERGENCY**

- Sponsored by Council Member Bruce Darlington
- Discussed by Public Service Committee June 1, 2021

Mr. Darlington made a motion, which was seconded by Ms. Haskins, to place Ordinance No. 21-036 on second reading. An all in favor vote was taken and all Council members present voted in

favors of the motion. **Ordinance No. 21-036 advanced to second reading for the meeting of June 15, 2021.**

**ORDINANCE NO. 21-037 (1<sup>st</sup> RDG.): AN ORDINANCE TO MAKE A SUPPLEMENTAL APPROPRIATION OF \$25,000.00 IN THE 672 – WATER SUPPLY-WATER TREATMENT FUND FOR PURPOSES OTHER THAN PERSONAL SERVICES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021**

- Sponsored by Council Member Bruce Darlington
- Discussed by Public Service Committee June 1, 2021

Mr. Darlington made a motion, which was seconded by Ms. Haskins, to place Ordinance No. 21-037 on second reading. An all in favor vote was taken and all Council members present voted in favor of the motion. **Ordinance No. 21-037 advanced to second reading for the meeting of June 15, 2021.**

**ORDINANCE NO. 21-038 (1<sup>st</sup> RDG.): AN ORDINANCE TO MAKE A SUPPLEMENTAL APPROPRIATION OF \$40,000.00 IN THE 247 – CORONAVIRUS RELIEF FUND FOR PURPOSES OTHER THAN PERSONAL SERVICES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021**

- Sponsored by President of Council Bob Thurber

Ms. Haskins asked what services were involved with the ordinance. Mr. Darlington said it was in regard to the Senior Center and they'd agreed to suspend and call it.

Ms. Haskins made a motion, which was seconded by Mr. Darlington, to suspend the three reading rule on Ordinance No. 21-038. A roll call vote was taken. Ayes: Williams, Haskins, Darlington, Copley, Hines, Stugmyer, Yurchiak. Nays: none. Ms. Haskins called the question. Mr. Thurber called for a vote. A roll call vote was taken. Ayes: Haskins, Darlington, Copley, Hines, Stugmyer, Yurchiak, Williams. Nays: none. **Ordinance No. 21-038 declared to have been adopted June 1, 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. 21-029 (2<sup>nd</sup> RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE ROAD SALT FROM COMPASS MINERALS THROUGH PARTICIPATION IN AN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACT AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee May 10, 2021

Mr. Williams made a motion, which was seconded by Mr. Copley, to place Ordinance No. 21-029 on third reading. An all in favor vote was taken and all Council members present voted in favor of the motion. **Ordinance No. 21-029 advanced to third reading for the meeting of June 15, 2021.**

**ORDINANCE NO. 21-033 (2<sup>nd</sup> RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A MUTUAL AID AGREEMENT WITH OTHER POLITICAL SUBDIVISIONS WITHIN MEDINA COUNTY FOR ADDITIONAL POLICE PROTECTION, OTHER LAW ENFORCEMENT SERVICES, FIRE AND EMERGENCY MEDICAL SERVICES IN TIMES OF EMERGENCY AND AS SUCH NEED ARISES AND TO DECLARE AN EMERGENCY**

- Sponsored by Council Member Ralph Copley
- Forwarded by Public Safety Committee May 18, 2021 and recommended for two readings.

Mr. Copley made a motion, which was seconded by Ms. Haskins, to suspend the three reading rule on Ordinance No. 21-033. A roll call vote was taken. Ayes: Darlington, Copley, Hines, Stugmyer, Yurchiak, Williams, Haskins. Nays: none. Mr. Copley called the question. Mr. Thurber called for a vote. A roll call vote was taken. Ayes: Copley, Hines, Stugmyer, Yurchiak, Williams, Haskins, Darlington. Nays: none. **Ordinance No. 21-033 declared to have been adopted June 1, 2021.**

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

**ORDINANCE NO. 21-025 (4<sup>th</sup> 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 Public Hearing held June 1, 2021, at 5:00 p.m.*

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

Ms. Guenther stated that the public hearing had been held that evening, and for the record, no written comments or requests were received on the matter.

*Suspension of Council Rule 17:* Mr. Stugmyer stated that based on no correspondence or anything in the public hearing today or on any of the past legislation, he made a motion to suspend Council Rule #17 to allow them to vote on the legislation that evening. Mr. Copley seconded the motion. The Clerk took a roll call vote. Ayes: Hines, Stugmyer, Yurchiak, Williams, Haskins, Darlington, Copley. Nays: none. **MOTION PASSED.**

Mr. Stugmyer called the question on Ordinance No. 21-025. Mr. Thurber called for a vote. A roll call vote was taken. Ayes: Stugmyer, Yurchiak, Williams, Haskins, Darlington, Copley, Hines. Nays: none. **Ordinance No. 21-025 declared to have been adopted June 1, 2021.**

*That concluded the legislation for the meeting.*

### **OTHER BUSINESS:**

Mr. Thurber asked for any other business to consider.

#### *First Friday*

Mr. Stugmyer noted that “Safety Forces, First Friday” was coming up on June 4. The Fire and EMS would be down on College Street, along with the County Sheriff’s Department and other safety forces throughout the area. The time was 5:30 – 8:30 p.m. He expressed appreciation to everyone for all those services at the City and for allowing it to happen.

#### *Assistant Public Service Director Welcomed*

Mr. Thurber thanked Mr. Stugmyer requested that Mr. Patrick introduce his new Assistant Director.

Mr. Patrick introduced to Council and to the community, the Assistant Public Service Director Michael Testa. He knew they would each get a chance to introduce themselves and talk to Mr. Testa. Mr. Patrick had been looking forward to having him come aboard and today was his first day. It was nice that he was able to come to Council. He had a great career behind him and was getting up to speed quite quickly. Mr. Patrick looked forward to working with him.

Mr. Thurber joked they would put his cell phone up on the big screen! Not really, he said, and welcomed Mr. Testa to the City.

*Garden Club Recognition*

Mrs. Hines took the opportunity to thank the Garden Club for making Downtown Wadsworth look beautiful. She also mentioned the flags that were back on the bridge over 224 and I-76. She loved that and thought it was great. “Wadsworth looked good!” she said.

**ADJOURNMENT:** Mr. Copley made a motion to adjourn, which was seconded by Ms. Hines. All were in favor. **The meeting was adjourned at approximately 5:18 p.m.**

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Clerk of Council

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President of Council