

DRAFT MINUTES
WADSWORTH CITY COUNCIL MEETING
July 5, 2023

The regular meeting of Wadsworth City Council, Wednesday, July 5, 2023, 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, Dan Rospert, Tom Stugmyer, David Williams

OFFICIALS PRESENT: Mayor Robin Laubaugh, Public Safety Director Matt Hiscock, Assistant Public Service Director Mike Testa, Economic Development Director Matt Hiscock, Law Director Tom Morris, Auditor Catherine Fix, Clerk of Council Tammy Guenther

VISITORS SPEAKING: *None*

PRESS REPRESENTATIVES: *Patrick Rhonemus, Medina Gazette*

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.

MINUTES: Mr. Williams made a motion, which was seconded by Mr. Stugmyer, to adopt the **Regular Council meeting of June 6, 2023 and the Informational Council Meeting of June 21, 2023.** An all-in-favor vote was taken and majority Council members present voted in favor of the motion. **THE COUNCIL MINUTES OF June 6 and June 21, 2023 WERE APPROVED.**

VISITORS: *David Parish, 326 Amy Way*

Mr. Parish said he was watching the Ways Committee and they talked about the ordinance coming up today for first reading, No. 23-060, to suspend or amend the mowing of lawns. At the discussion of Committee of the Whole (that evening), it seemed like a good idea, as something that would be needed. It would make things faster, easier and so forth. Mr. Parish wanted them to take into consideration that they were going on to somebody's property uninvited. They were going to change the way it appeared and there's no due process. Because they had it once, but they were going to suspend that due process and (the property owner) was going to incur a fine and the cost of mowing. This should be a little bit messy and a little bit time-consuming, he said, because the basis of their government was private property and private property rights.

So, said Mr. Parish, before they suspended this, he wanted them to think carefully about that part, especially the due process.

He called these "good neighbor" ordinances. Another thing that was brought up at the Ways Committee was the painting of curbs. He did not think they'd been painted for a little while. But last year there was a really hard time getting "safety yellow" or yellow paint. He understood that, but they were not being good neighbors. They could find 10, 20 or hundreds of applications where it could be done. Either they should clean it up – remove the paint, so it wasn't an eyesore – or paint them. One of the two should be done so this City was a good neighbor to everybody in the community.

Mr. Parish thanked the Council and the members thanked him as well.

There were no other speakers.

Mr. Thurber offered one quick order of business. He had talked to Jon Yurchiak and he was going to step off of the Cemetery Board. Mr. Thurber wanted to appoint, with Council's blessing, Dan Rospert.

MOTION: Mr. Stugmyer made a motion to accept that appointment. Mr. Copley seconded. An all in favor vote was taken and all Council members present voted in favor of the motion. None were opposed. **Council approved the Council President's replacement of Dan Rospert to the Woodlawn Cemetery Board July 5, 2023.**

CORRESPONDENCE: *None*

Mr. Thurber asked the Clerk to read the legislation.

LEGISLATION:

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

ORDINANCE NO. 23-060 (1st RDG.): AN ORDINANCE TO AMEND SECTION 93.45 OF THE CODIFIED ORDINANCES OF THE CITY OF WADSWORTH WITH REGARDS TO THE NOTIFICATION PROCESS OF PROPERTY OWNERS IN VIOLATION AND TO DECLARE AN EMERGENCY

- Sponsored by Council Member Thomas Stugmyer
- Forwarded by Economic Development & Planning Committee June 12, 2023

Mr. Stugmyer stated that from the June 12 Economic Development & Planning Committee meeting, which was on WCTV, Mr. Nussbaum did a presentation on the ordinance with all of the legalities with explanations. Again, anyone with any questions along these lines could be submitted to Mr. Stugmyer and he would be sure to get those answered by Mr. Kaiser.

Mr. Thurber thought they had some questions. He wondered if they should take it to second (reading). Mr. Stugmyer said that was his intention. He just wanted people to know that the meeting could be watched.

Mr. Stugmyer made a motion, which was seconded by Mr. Copley, to move Ordinance No. 23-060 to second reading. An all in favor vote was taken and all Council members voted in favor of the motion. **Ordinance No. 23-060 was advanced to second reading for the meeting of July 18, 2023.**

ORDINANCE NO. 23-061 (1st RDG.): AN ORDINANCE GIVING CONSENT TO THE OHIO DIRECTOR OF TRANSPORTATION TO PERFORM A BRIDGE OVERLAY ON LEATHERMAN ROAD OVER INTERSTATE 0076 IN THE CITY OF WADSWORTH AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee June 12, 2023

Mr. Williams made a motion, which was seconded by Mr. Stugmyer, to suspend the three reading rule on Ordinance No. 23-061. A roll call was taken. Ayes: Stugmyer, Hines, Darlington, Williams, Rospert, Copley. Nays: none. Mr. Williams called the question. Mr. Thurber called for a vote. Ayes: Hines,

Darlington, Williams, Rospert, Copley, Stugmyer. Nays: none. **Ordinance No. 23-061 declared to have been adopted July 5, 2023.**

ORDINANCE NO. 23-062 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO DO ALL THINGS NECESSARY AND PROPER TO ACCOMPLISH THE PURCHASE OF A PARCEL NUMBERS 038-17A-31-003, 038-17A-35-005, 038-17A-35-004, 038-17A-35-006 LOCATED AT 1973 GREENWICH RD IN WADSWORTH TOWNSHIP AND TO DECLARE AN EMERGENCY

- Sponsored by President of Council Bob Thurber
- Discussed by City Council Executive Session June 6, 2022

Mr. Stugmyer made a motion, which was seconded by Mrs. Hines, to move Ordinance No. 23-062 to second reading. An all in favor vote was taken and all Council members voted in favor of the motion. **Ordinance No. 23-062 was advanced to second reading for the meeting of July 18, 2023.**

ORDINANCE NO. 23-063 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO DO ALL THINGS NECESSARY AND PROPER TO ACCOMPLISH THE PURCHASE OF A PARCEL NUMBERS 038-17A-28-003, 038-17A-31-002, 038-17A-32-002, 55.18 ACRES OF LAND LOCATED IN WADSWORTH TOWNSHIP AND TO DECLARE AN EMERGENCY

- Sponsored by President of Council Bob Thurber
- Discussed by City Council Executive Session June 6, 2022

Mr. Stugmyer made a motion, which was seconded by Mr. Rospert, to move Ordinance No. 23-063 to second reading. An all in favor vote was taken and all Council members voted in favor of the motion. Mr. Thurber called for a vote. **Ordinance No. 23-063 was advanced to second reading for the meeting of July 18, 2023.**

ORDINANCE NO. 23-064 (1st RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE SUMMIT STREET WATER TANK IMPROVEMENTS PROJECT AND DECLARING AN EMERGENCY

- Sponsored by Council Member Bruce Darlington
- Discussed at Public Service Committee June 19, 2023 & at Committee of the Whole as an informational item June 21, 2023. Originally recommended for two readings.
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Mr. Darlington made a motion which was seconded by Mr. Williams, to suspend the three reading rule on Ordinance No. 23-064. A roll call was taken. Ayes: Darlington, Williams, Rospert, Copley, Stugmyer, Hines. Nays: none. Mr. Darlington called the question. Mr. Thurber called for a vote. Ayes: Williams, Rospert, Copley, Stugmyer, Hines, Darlington. Nays: none. **Ordinance No. 23-064 declared to have been adopted July 5, 2023.**

ORDINANCE NO. 23-065 (1st RDG.): AN ORDINANCE TO AUTHORIZE A REDUCTION OF \$188,000.00 IN THE APPROPRIATIONS OF THE 425 FUND – GENERAL CAPITAL IMPROVEMENTS FOR PURPOSES OTHER THAN PERSONAL SERVICES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023 AND TO DECLARE AN EMERGENCY

- Sponsored by Council Member Ralph Copley
- Forwarded by Public Safety Committee June 28, 2023, with recommendation to suspend the three reading rule

Mr. Copley made a motion, which was seconded by Mr. Rospert, to move Ordinance No. 23-065 to second reading. An all in favor vote was taken and all Council members voted in favor of the motion. **Ordinance No. 23-065 was advanced to second reading for the meeting of July 18, 2023.**

ORDINANCE NO. 23-066 (1st RDG.): AN ORDINANCE TO MAKE A SUPPLEMENTAL APPROPRIATION OF \$213,500.00 IN THE 260 – SAFETY TOWN VILLAGE FUND FOR PURPOSES OTHER THAN PERSONAL SERVICES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023 AND TO DECLARE AN EMERGENCY

- Sponsored by Council Member Ralph Copley
- Forwarded by Public Safety Committee June 28, 2023, with recommendation to suspend the three reading rule

Mr. Copley made a motion, which was seconded by Mr. Stugmyer to move Ordinance No. 23-066 to second reading. A roll call vote was taken. Ayes: Williams, Rospert, Copley, Stugmyer, Hines, Darlington. All were in favor. **Ordinance No. 23-066 was advanced to second reading for the meeting of July 18, 2023.**

ORDINANCE NO. 23-067 (1st RDG.): AN ORDINANCE TO AMEND SECTION 34.36 OF THE CODIFIED ORDINANCES OF THE CITY OF WADSWORTH TO PROVIDE FOR THE ALLOCATION OF INCOME TAX RECEIPTS DURING FISCAL YEAR 2023 AND DECLARING AN EMERGENCY

- Sponsored by President of Council Bob Thurber
- Safety Town Allocation Discussed by Public Safety Committee June 28, 2023

Mr. Copley made a motion, which was seconded by Mr. Rospert, to move Ordinance No. 23-067 to second reading. An all in favor vote was taken and all Council members voted in favor of the motion. **Ordinance No. 23-067 was advanced to second reading for the meeting of July 18, 2023.**

ORDINANCE NO. 23-068 (1st RDG.): AN ORDINANCE TO ACCEPT THE APPLICATION FOR ANNEXATION OF 0.3733 ACRES OF LAND KNOWN AS BEING PART OF WADSWORTH TOWNSHIP TO THE CITY OF WADSWORTH AND DECLARING AN EMERGENCY

- Sponsored by Council Member Thomas Stugmyer
- Expedited Type 1 Petition Received by City on May 3, 2023

Mr. Stugmyer made a motion which was seconded by Mr. Rospert, to suspend the three reading rule on Ordinance No. 23-068. A roll call was taken. Ayes: Rospert, Copley, Stugmyer, Hines, Darlington, Williams. Nays: none. Mr. Stugmyer called the question. Mr. Thurber called for a vote. Ayes: Stugmyer, Hines, Darlington Williams, Rospert, Copley. Nays: none. **Ordinance No. 23-068 declared to have been adopted July 5, 2023.**

ORDINANCE NO. 23-069 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO PURCHASE ONE 2023 POLARIS RANGER CREW XP 1000 NORTHSTAR ULTIMATE FOR USE BY THE WADSWORTH POLICE DEPARTMENT AND DECLARING AN EMERGENCY

- Sponsored by Council Member Ralph Copley
- Forwarded by Public Safety Committee June 28, 2023, with recommendation to suspend the three reading rule

Mr. Stugmyer made a motion which was seconded by Mr. Rospert, to suspend the three reading rule on Ordinance No. 23-069. A roll call was taken. Ayes: Hines, Darlington, Williams, Rospert, Copley, Stugmyer. Nays: none. Mr. Stugmyer called the question. Mr. Thurber called for a vote. Ayes:

Darlington, Williams, Rospert, Copley, Stugmyer, Hines. Nays: none. **Ordinance No. 23-069 declared to have been adopted July 5, 2023.**

ORDINANCE NO. 23-070 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO PURCHASE ONE 2023 POLARIS RANGER CREW XP 1000 NORTHSTAR ULTIMATE FOR USE BY THE WADSWORTH FIRE & EMS DEPARTMENT AND DECLARING AN EMERGENCY

- Sponsored by Council Member Ralph Copley
- Forwarded by Public Safety Committee June 28, 2023, with recommendation to suspend the three reading rule

Mr. Stugmyer made a motion which was seconded by Mr. Rospert, to suspend the three reading rule on Ordinance No. 23-070. A roll call was taken. Ayes: Williams, Rospert, Copley, Stugmyer, Hines, Darlington. Nays: none. Mr. Stugmyer called the question. Mr. Thurber called for a vote. Ayes: Rospert, Copley, Stugmyer, Hines, Darlington, Williams. Nays: none. **Ordinance No. 23-070 declared to have been adopted July 5, 2023.**

ORDINANCE NO. 23-071 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PURCHASE AGREEMENT WITH MARTIN PUBLIC SEATING THROUGH A STATE OF OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES STATE TERM SCHEDULE CONTRACT NUMBER 800876 FOR THE PURCHASE AND INSTALLATION OF FURNITURE AND FIXTURES IN THE NEW FIRE STATION AND TO DECLARE AN EMERGENCY

- Sponsored by Council Member Ralph Copley
- Forwarded by Public Safety Committee June 28, 2023, with recommendation to suspend the three reading rule

Mr. Stugmyer made a motion which was seconded by Mr. Rospert, to suspend the three reading rule on Ordinance No. 23-071. A roll call was taken. Ayes: Copley, Stugmyer, Hines, Darlington, Williams, Rospert. Nays: none. Mr. Stugmyer called the question. Mr. Thurber called for a vote. Ayes: Stugmyer, Hines, Darlington, Williams, Rospert, Copley. Nays: none. **Ordinance No. 23-071 declared to have been adopted July 5, 2023.**

ORDINANCE NO. 23-072 (1st RDG.): AN ORDINANCE FINDING THE EXISTENCE OF A REAL AND PRESENT EMERGENCY IN CONNECTION WITH THE OPERATION AND MAINTENANCE OF THE DEPARTMENT OF PUBLIC SAFETY NECESSITATING AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO PURCHASE A BRYX STATION ALERTING SYSTEM FROM BRYX, INC. THE PURCHASE OF AUTHORIZING WITHOUT FORMAL BIDDING AND ADVERTISING AND DECLARING AN EMERGENCY

- Sponsored by Council Member Ralph Copley
- Forwarded by Public Safety Committee June 28, 2023, with recommendation to suspend the three reading rule

Mr. Stugmyer made a motion which was seconded by Mr. Rospert, to suspend the three reading rule on Ordinance No. 23-072. A roll call was taken. Ayes: Darlington, Williams, Rospert, Copley, Stugmyer, Hines. Nays: none. Mr. Stugmyer called the question. Mr. Thurber called for a vote. Darlington, William, Rospert, Copley, Stugmyer, Hines. Nays: none. **Ordinance No. 23-072 declared to have been adopted July 5, 2023.**

ORDINANCE NO. 23-073 (1st RDG.): AN ORDINANCE ESTABLISHING THE MAXIMUM AGE LIMIT OF FORTY (40) YEARS OF AGE FOR AN ORIGINAL APPOINTMENT TO THE

WADSWORTH POLICE DEPARTMENT PURSUANT TO SECTION 124.41 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY

- Sponsored by Council Member Ralph Copley
- Forwarded by Public Safety Committee June 28, 2023

Mr. Stugmyer made a motion which was seconded by Mr. Rospert, to suspend the three reading rule on Ordinance No. 23-073. A roll call was taken. Ayes: Williams, Rospert, Copley, Stugmyer, Hines, Darlington. Nays: none. Mr. Stugmyer called the question. Mr. Thurber called for a vote. Darlington, William, Rospert, Copley, Stugmyer, Hines, Darlington. Nays: none. **Ordinance No. 23-073 declared to have been adopted July 5, 2023.**

ORDINANCE NO. 23-074 (1st RDG.): AN ORDINANCE TO MAKE A SUPPLEMENTAL APPROPRIATION OF \$85,772.00 IN VARIOUS FUNDS FOR PURPOSES OTHER THAN PERSONAL SERVICES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023 AND TO DECLARE AN EMERGENCY

- Sponsored by Council Member Ralph Copley
- Forwarded by Public Safety Committee June 28, 2023, with recommendation to suspend the three reading rule

Mr. Stugmyer made a motion which was seconded by Mr. Rospert, to suspend the three reading rule on Ordinance No. 23-074. A roll call was taken. Ayes: Rospert, Copley, Stugmyer, Hines, Darlington, Williams. Nays: none. Mr. Stugmyer called the question. Mr. Thurber called for a vote. Rospert, Copley, Stugmyer, Hines, Darlington, William. Nays: none. **Ordinance No. 23-074 declared to have been adopted July 5, 2023.**

ORDINANCE NO. 23-075 (1st RDG.): AN ORDINANCE TO ADOPT A POLICY FOR MAIN STREET ART MURALS PROGRAMS AS AN ADDENDUM TO THE HISTORIC MAIN STREET DESIGN GUIDELINES THAT WERE PREVIOUSLY ADOPTED BY CITY COUNCIL VIA ORDINANCE #17-049

- Sponsored by Council Member Thomas Stugmyer
- Discussed in Committee of the Whole July 5, 2023

Mr. Stugmyer made a motion, which was seconded by Mr. Copley, to move Ordinance No. 23-075 to second reading. An all in favor vote was taken and all Council members voted in favor of the motion. **Ordinance No. 23-075 was advanced to second reading for the meeting of July 18, 2023.**

ORDINANCE NO. 23-076 (1st RDG.): AN ORDINANCE TO MAKE A SUPPLEMENTAL APPROPRIATION OF \$803,530.00 IN VARIOUS FUNDS FOR PERSONAL SERVICES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023

- Sponsored by President of Council Bob Thurber
- Discussed in Committee of the Whole July 5, 2023

Mr. Stugmyer made a motion which was seconded by Mr. Rospert, to suspend the three reading rule on Ordinance No. 23-076. A roll call was taken. Ayes: Copley, Stugmyer, Hines, Darlington, Williams, Rospert. Nays: none. Mr. Stugmyer called the question. Mr. Thurber called for a vote. Stugmyer, Hines, Darlington, Williams, Rospert, Copley. Nays: none. **Ordinance No. 23-076 declared to have been adopted July 5, 2023.**

RESOLUTION NO. 23-05 (1st RDG.): A RESOLUTION AUTHORIZING THE SALE OF VARIOUS ITEMS OF PERSONAL PROPERTY BY INTERNET AUCTION PURSUANT TO RESOLUTION 23-01 AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Discussed in Committee of the Whole July 5, 2023

Mr. Williams made a motion which was seconded by Mr. Rospert, to suspend the three reading rule on Resolution No. 23-05. A roll call was taken. Ayes: Darlington, Williams, Rospert, Copley, Stugmyer, Hines. Nays: none. Mr. Williams called the question. Mr. Thurber called for a vote. Stugmyer, Hines, Darlington, Williams, Rospert, Copley. Nays: none. **Resolution No. 23-05 declared to have been adopted July 5, 2023.**

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. 23-058 (2nd RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE COLLEGE STREET SANITARY SEWER EXTENSION PROJECT AND DECLARING AN EMERGENCY

- Sponsored by Council Member Bruce Darlington
- Discussed in Committee of the Whole June 6, 2023

Mr. Darlington made a motion which was seconded by Mr. Williams, to suspend the three reading rule on Ordinance No. 23-058. A roll call was taken. Ayes: Stugmyer, Hines, Darlington, Williams, Rospert, Copley. Nays: none. Mr. Darlington called the question. Mr. Thurber called for a vote. Hines, Darlington, Williams, Rospert, Copley, Stugmyer. Nays: none. **Ordinance No. 23-058 declared to have been adopted July 5, 2023.**

ORDINANCE NO. 23-059 (2nd RDG.): AN ORDINANCE FINDING THE EXISTENCE OF A REAL AND PRESENT EMERGENCY IN CONNECTION WITH THE OPERATION AND MAINTENANCE OF THE DEPARTMENT OF PUBLIC SAFETY NECESSITATING AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITHOUT FORMAL BIDDING AND ADVERTISING FOR THE SALE OF ONE 1995 KME FIREFOX PUMPER AND AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO SUCH A CONTRACT AND DECLARING AN EMERGENCY

- Sponsored by Council Member Ralph Copley
- Discussed in Committee of the Whole June 6, 2023

Mr. Stugmyer made a motion, which was seconded by Mr. Rospert, to move Ordinance No. 23-059 to third reading. An all in favor vote was taken and all Council members present voted in favor of the motion. **Ordinance No. 23-059 advanced to third reading for the meeting July 18, 2023.**

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

ORDINANCE NO. 23-055 (3rd 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 May 8, 2023

Mr. Williams called the questions. Mr. Thurber called for a vote. A roll call vote was taken. Hines, Darlington, Williams, Rospert, Copley, Stugmyer. Nays: none. **Ordinance No. 23-055 declared to have been adopted July 5, 2023.**

Mr. Thurber said that concluded the legislation for the evening.

OTHER BUSINESS:

Mayor Laubaugh said she wanted to mention one thing. The City had an absolutely amazing event on Monday night in celebration of the 4th of July. Of course the fireworks were going on. She said it was just a wonderful collaboration between city services as well as volunteers Main Street Wadsworth. Obviously Councilman Tom Stugmyer was heavily involved on behalf of Main Street. To her, it was a wonderful collaboration between the volunteerism, along with city services to provide an excellent event that was held for our citizens and they had beautiful weather. After all, they were a little bit concerned about it, but it was the place to be. It was a hopping place! Thank you to everyone that was involved and she was really happy for the community and to be able to enjoy that type of event.

Mr. Stugmyer said that the cleanup crew went out to the cemetery the next morning, bright and early to be sure that it is all taken care of down there as well. It was done by volunteers as well.

Mayor Laubaugh said that it was a wonderful volunteer effort that involved several organizations and several from the Administration as well.

With no other comments, Mr. Thurber asked for a motion to adjourn.

ADJOURNMENT: Mr. Williams made that motion, which was seconded. The meeting was adjourned at approximately 5:26 p.m.

Clerk of Council

President of Council