

**RECORD OF PROCEEDINGS**

Minutes of \_\_\_\_\_ Wauseon City Council \_\_\_\_\_

Meeting

BARRETT BROTHERS

Form 6101

Held \_\_\_\_\_ September 19, 2016 \_\_\_\_\_

**WAUSEON CITY COUNCIL MEETING**

Monday, September 19, 2016 at 5:00 P.M.

This meeting of the Wauseon City Council was called to order at 5:00 p.m. by Mayor Huner Following the Pledge of Allegiance and moment of silence, roll was called by the Clerk of Council. Present was Council President Stiriz, Councilors Kost, Schamp, Chamberlin, Scott Stiriz and Frey to constitute a quorum for the transaction of City business.

***APPROVAL OF PRIOR MEETINGS' MINUTES***

Councilor Frey moved and seconded by Council President Stiriz to approve the previous meetings' minutes.

Vote: 6 Yeas – 0 Nays *Motion Carries*

***NAMES OF INDIVIDUALS WISHING TO ADDRESS COUNCIL AND TOPIC***

Nel Rodriguez, Recreation Superintendent

Dennis Richardson introduced Nel Rodriguez, the new Recreation Superintendent. Mr. Rodriguez gave a brief summary of his background and said he is looking forward to working for the City. Mayor and Council thanked him for coming and congratulated him on his new position.

Sharon Morr, Director of Corporate and Community Health Promotion, Fulton County Health Center – Smoke Free Parks

Sharon Morr stated as of July 1, 2016 of this year there are 1,266 municipalities in the U.S. that have total smoke-free park ordinances. She recited the cities in Ohio that have ordinances in place. Delta and Archbold don't have an ordinance for smoke-free parks, but they have put up signs. The only thing is if someone doesn't comply, then there is no recourse. However, it has been conveyed to her that it hasn't been an issue for them. Obviously the reasons are many to have a smoke-free park; not exposing other people to second hand smoke and providing a role model for the kids that are there playing activities.

Councilor Chamberlin asked would you also recommend that include vaping. Sharon Morr said she would recommend that it be extended because the more we learn about it is that it is not harmless.

Councilor Kost asked about the wording included in the ordinance. Sharon Morr recommended that a source for information is the website [NOsmoke.org/outdoor](http://NOsmoke.org/outdoor).

Beth Thomas, Program Director, Health Choices Caring Communities, Fulton County Health Department –  
Concerns about medical Marijuana Legislation – House Bill 523

Beth Thomas stated that House Bill 523 became effective in Ohio on September 8, 2016. Ohio is the 25<sup>th</sup> state to do so. The State has two years to become fully operational. It will be divided between the Board of

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Pharmacy, Department of Commerce and Ohio Medical Board to finalize the details. There will be a 12 member advisory council that will advise the governing organizations how to go forward. She said the physician can make a recommendation to use marijuana but it is not a prescription. She said there is a list of required conditions in order to receive a recommendation to use marijuana. One thing she wanted to note is that Ohio does list chronic or severe pain as a condition. Not many states do that. In Ohio they are predicting 116,000 to 232,000 people to fall in the 1-2% of required conditions.

Chief Torbet added that marijuana is a "Schedule 1" drug. According to the federal government it has no medicinal purposes. You cannot prescribe it through a regular pharmacy. Beth Thomas added since it is illegal under federal law they cannot legally dispense it. It will be dispensed through dispensaries.

Marijuana will not be allowed to be smoked but it can be vaped. Employers will still be able to enforce their drug free workplace policies. They will still be able to fire a person for use of medical marijuana and not be eligible for unemployment benefits for such a dismissal even though it was physician recommended.

Beth Thomas indicated that Archbold and Swanton have already passed moratoriums. You have the ability to restrict or ban dispensaries in your community. She also added in Colorado which has recreational and medicinal marijuana, actually 68% of the municipalities have chosen to ban it.

Healthy Choice Caring Communities' concern includes the increasability for youth to obtain marijuana in our community. Other states that have legalized medical marijuana use have seen an increase in adult as well youth use. Other concerns are: will employers find employees that pass the drug test and traffic safety.

Council President Stiriz asked if you don't get a prescription for it, what happens if you get stopped. Chief Torbet replied the State will have to come up with an identification card or some sort stating that you are allowed to have it and at what quantity and what strength.

Mayor Huner thanked Sharon Morr and Beth Thomas for the good information they presented.

**Department Reports**

Rick Sluder, Fire Chief

Chief Sluder reported he is still working with the townships on the Fire Protection contracts. He is also getting ready for the Chili Cook-off.

Keith Torbet, Police Chief

Chief Torbet reported on Thursday, November 3, 2016 from 6:00 p.m. to 9:00 p.m. the police department is putting on a session called "Use of Force,

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You Make the Call". They will present different scenarios for you to make a decision on making the right call. This is a way for people to know what officers deal with every day.

Tom Hall, Code Administrator

Mr. Hall reported that we got started on the sidewalk project this week. There is one new house under construction at Arrowhead Subdivision. Also a new Habitant for Humanity house is planned to be built on Shoop Ave.

Dennis Richardson, Director of Public Service

Mr. Richardson explained the legislation for bridge inspection services with the Ohio Department of Transportation (Res. 2016-20). Several years ago county engineers inspected bridges for their counties but for liability reasons they stopped doing it. For a period of time we had to contract with consulting engineers but not enough people were complying with it so ODOT convinced the state legislature to let them coordinate, so they now have contracts with consultants throughout the state to do the inspections. Mr. Richardson reported last month we did the walk-through on the Linfoot St. project and they are now completing the punch list and getting the road finished up.

Mr. Richardson reported that the pool bids were opened on September 14, 2016. We received one bid for the pool and one for the bathhouse. The pool bid was close to the engineer's estimate but the bathhouse was considerably higher than the estimate. Therefore we are back to the drawing board with the engineers to formulate some revisions and get it closer to the money that we will have.

Fall Clean-up has been scheduled from October 7 to October 15, 2016. Archbold Refuse Service will be providing the boxes and disposal for that. Councilor Kost asked are there things you cannot take. Mr. Richardson stated the items are listed on the website.

Jamie L. Giguere, Director of Finance

Mrs. Giguere reported that the Finance Department reports are in the process of being transferred over to a new software system. She anticipates that it will be completely done soon.

Thomas A. McWatters, Director of Law

Mr. McWatters reported that he recently attended a seminar and one of the things that was covered was the new Medical Marijuana law. A webinar is being set up provided by the Ohio Municipal League. We are trying to put together an event for other entities in the area to view it. This will provide information on ways for municipalities to handle the new law.

**FIRST READING OF LEGISLATION OR EMERGENCY**

Mayor Huner read out loud by title the following legislation presented for first reading or emergency.

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Amend the Budget

Resolution 2016-18 – Amend Ordinance 2015-16 Annual Appropriation Ordinance by Authorizing the Director of Finance to Increase or Decrease Certain Line Account Appropriations within the Various Funds Listed within the Year of 2016

Councilor Schamp moved and seconded by Councilor Kost to pass Resolution 2016-18.

Vote: 6 Yeas – 0 Nays *Resolution 2016-18 Passes and is Now in Effect*

Necessary Tax Levies

Resolution 2016-19 – Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor

Councilor Kost moved and seconded by Councilor Scott Stiriz to pass Resolution 2016-19

Vote: 6 yeas – 0 Nays *Resolution 2016-19 Passes and is Now in Effect*

Bridge Inspection Services

Resolution 2016-20 – Authorizing the Mayor to Enter into a Contract for Bridge Inspection Services with the Ohio Department of Transportation; and Declaring an Emergency

Councilor Kost moved and seconded by Council President Stiriz to suspend the rules for three readings on Resolution 2016-20 and an emergency be declared.

Vote: 6 Yeas – 0 Nays *Motion Carries*

Council President Stiriz moved and seconded by Councilor Schamp to place Resolution 2016-20 on final passage whereas an emergency was declared.

Vote: *Resolution 2016-20 Passes and is in Effect*

**SECOND READING OF LEGISLATION**

Mayor Huner read out loud by title the following legislation presented for second reading:

Adopting a Classification Plan

Resolution 2016-15 – Adopting a Classification Plan

Councilor Kost and seconded by Councilor Scott Stiriz to place Resolution 2016-15 on second reading and that the second reading be passed.

Vote: 6 Yeas – 0 Nays *Second Reading Passes*

Adopting a Compensation Plan

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Resolution 2016-16 – Adopting a Compensation Plan

Councilor Schamp moved and seconded by Councilor Frey to place Resolution 2016-16 on second reading and that the second reading be passed.

Vote: 6 Yeas 0 Nays *Second Reading Passes*

Revolving Loan Fund – Shannon Backyard Barbeque and Grill

Resolution 2016-17 – Accepting the Recommendations of the Revolving Loan Fund Committee; Authorizing the Mayor to Enter into an Agreement with Shannon Backyard Barbeque and Grill, LLC and Its Principals

Council President Stiriz moved and seconded by Councilor Kost to place Resolution 2016-17 on second reading and that the second reading be passed.

Vote: 6 Yeas 0 Nays *Second Reading Passes*

Delete Chapter 148 – Wage and Compensation Plan (replaced with Resolutions 2016-15 and Resolution 2016-16)

Ordinance 2016-10 – Amending Chapter 148, Wage and Compensation Plan, of the Codified Ordinances of the City of Wauseon

Councilor Schamp moved and seconded by Councilor Frey to place Ordinance 2016-10 on second reading and that the second reading be passed.

Vote: 6 Yeas – 0 Nays *Second Reading Passes*

***THIRD READING OF LEGISLATION***

There was no legislation presented for third reading.

***NEW BUSINESS***Chili Cook-Off

Mayor Huner stated the Chili festival is Saturday, September 24, 2016 from 11:00 a.m. to 4:00 p.m. Hope everyone comes out for it.

On Thursday, September 15, 2016, Mayor Huner stated there was the Ribbon Cutting for Linfoot Street. Mayor Huner thanked all the residents and business owners on Linfoot St for their patience with this project.

Sidewalk Projects for 2017

Councilor Chamberlin asked Tom Hall for some numbers for the cost of a sidewalk to the Leggett St. School for consideration in next year's budget.

Mayor Huner asked if he had talked with anyone at the hospital or school about their plans. Council President Stiriz stated it was conveyed to him that it was going to be brought up at the next Hospital Board meeting.

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Wauseon Recreation Association (WRA)

Councilor Chamberlin asked Tom McWatters about whether we have any legislative oversight pertaining to the WRA. Mr. McWatters replied that we were not able to find any legislation and there is no direct oversight that we are aware of.

**APPROVAL OF THE BILLS**

Councilor Schamp moved and seconded by Councilor Kost to approve and pay the bills as presented.

Vote: 6 Yeas-0 Nays *Motion Carries*

**ADJOURNMENT**

There being no further business to come before this session of the Wauseon City Council, Mayor Huner asked for a motion to adjourn. Council President Stiriz moved and seconded by Councilor Scott Stiriz to adjourn this meeting at 5:50 p.m.

All in favor: *Motion Passed Unanimously*

  
Clerk of Council

  
President of Council