

DRAFT MINUTES
WADSWORTH CITY COUNCIL MEETING
Meeting held remotely through Videoconferencing per HR 197
April 21, 2020

The regular meeting of Wadsworth City Council, Tuesday, April 21, 2020, at 5:00 p.m., was held through means of electronic video conferencing due to the “Stay at Home” Order limiting public gatherings. City Hall was not open to the public for this meeting. The meeting was broadcast live on CityLink Channels 17 & 329; live on Spectrum Channel 1024; and streamed live on www.WatchWCTV.com. The recorded meeting can also be viewed at www.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, Auditor Catherine Fix, Economic Development Director Jim Gray, Director of Law Director Tom Morris, Clerk of Council Tammy Guenther

Mr. Thurber called the meeting to order at approximately 5:12 p.m. Meeting participants joined the Council President in saying the Pledge of Allegiance. The Council President gave the Invocation and the Clerk of Council called the roll.

MOTION TO MODIFY COUNCIL RULE 12, ORDER OF BUSINESS:

Mr. Thurber stated that given the limitations associated with teleconference meetings, he would entertain a motion to temporarily modify the Rule 12 of the *Rules of Council* regarding “Order of Business.”

Mr. Darlington made a motion, which was seconded by **Ms. Haskins**, that until restrictions imposed by the emergency orders as they related to social distancing were lifted, the “Visitor” part of their (Council) meetings, which was number seven within Council Rule 12, would be suspended. An all in favor vote was taken and all Council members present voted in favor of the motion. None were opposed. **Mr. Thurber declared that the motion passed to temporarily modify Council Rule 12.**

MOTION REGARDING COUNCIL RULE 4, SPECIAL COMMITTEES:

In consideration of Rule 4 of the *Rules of Council*, Mr. Thurber requested a motion for a temporary special committee, a Covid-19 Recovery Committee. He stated that the recovery from any major disaster required careful planning and execution of a recovery plan. The Committee would review the capital expenditures for the 2020 budget, with special consideration given to declining revenues as they moved into the recovery phase of Covid-19 pandemic. Suggested budget adjustments would be presented to the entire City Council for consideration.

Mr. Copley made a motion, which was seconded by Ms. Haskins, to approve the proposal to create the Covid-19 Recovery Committee. An all in favor vote was taken and all Council members present voted

in favor of the motion. None were opposed. **Mr. Thurber declared that the motion passed to create a Covid-19 Recovery Committee.**

LEGISLATION:

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

ORDINANCE NO. 20-018 (1st RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR AND RECEIVE BIDS AND ENTER INTO A CONTRACT FOR TREE TRIMMING AND TREE REMOVAL FOR ELECTRIC LINES CLEARANCE AND DECLARING AN EMERGENCY

- Sponsored by Council Member Bruce Darlington
- A recommendation to suspend the three reading rule and call the question requested by Public Service Committee April 21, 2020

Mr. Darlington said, unless members had questions, the City trimmed the trees every year to avoid power outages. If there were no questions, Mr. Darlington made a motion, which was seconded by Ms. Haskins, to suspend the three reading rule on Ordinance No. 20-018. A roll call vote was taken. Ayes: Copley, Darlington, Stugmyer, Hines, Williams, Haskins, Yurchiak. Nays: none. Mr. Darlington called the question. Mr. Thurber called for a vote. A roll call vote was taken. Ayes: Darlington, Stugmyer, Hines, Williams, Haskins, Yurchiak, Copley. Nays: none. **Ordinance No. 20-018 declared to have been adopted April 21, 2020.**

ORDINANCE NO. 20-019 (1st RDG.): AN ORDINANCE AUTHORIZING THE TRANSFER OF THE RIGHTS AND OBLIGATIONS OF MEYERS INDUSTRIES INC. UNDER THE JOB CREATION GRANT PROGRAM AGREEMENT AUTHORIZED BY ORDINANCE NO. 15-051 AND AMENDED IN ORDINANCE NO. 16-078 FROM MEYERS INDUSTRIES INC. TO J&O PLASTICS INC. AND DECLARING AN EMERGENCY

- Sponsored by Council Member Thomas Stugmyer

Mr. Stugmyer offered information that applied to the Ordinance No. 20-019, as well as to 20-020. He said that J&O Plastics purchased 261 Seville Road in 2019. The warehouse was constructed in 2015 by Erie Island, which was the management company for Meyers Industries, headquartered in Akron, Ohio, with a manufacturing plant in Wadsworth under the brand of Akro-Mils. At the time of building, Akro-Mils committed to creating 39 jobs for payroll of \$2.1M. They initially had invested \$9M, which created a CRA of 60 percent for 12 years. With the purchase of that property by J&O Plastics, they would commit to creating 20 jobs over 12 months; with an estimated payroll of \$600K; and an investment of \$4.5M. Law Director Morris could speak more about the reassignment if needed, but Mr. Morris had checked into the reassignment and indicated that both of the agreements, when reassigned from Meyers to J&O Plastics, could be amended from to 50 percent for nine years because of their reduced investment in the property.

Mr. Stugmyer again indicated that he was speaking in regard to both Ordinances, Nos. 20-019 and 20-020. He asked if there were any questions and there were none.

Mr. Stugmyer made a motion, which was seconded by Ms. Haskins, to suspend the three reading on Ordinance No. 20-019. A roll call vote was taken. Ayes: Stugmyer, Hines, Williams, Haskins, Yurchiak, Copley, Darlington. Nays: none. Mr. Stugmyer called the question. Mr. Thurber called for a vote. A roll call vote was taken. Ayes: Hines, Williams, Haskins, Yurchiak, Copley, Darlington, Stugmyer. Nays: none. **Ordinance No. 20-019 declared to have been adopted April 21, 2020.**

ORDINANCE NO. 20-020 (1st RDG.): AN ORDINANCE AUTHORIZING THE TRANSFER OF THE RIGHTS AND OBLIGATIONS OF ERIE ISLAND LLC UNDER THE COMMUNITY REINVESTMENT AREA AGREEMENT AUTHORIZED BY ORDINANCE NO. 15-052 FROM ERIE ISLAND LLC TO J&O PLASTICS AND DECLARING AN EMERGENCY

- Sponsored by Council Member Thomas Stugmyer

Mr. Stugmyer made a motion, which was seconded by Ms. Haskins, to suspend the three reading on Ordinance No. 20-020. A roll call vote was taken. Ayes: Williams, Haskins, Yurchiak, Copley, Darlington, Stugmyer, Hines. Nays: none. Mr. Stugmyer called the question. Mr. Thurber called for a vote. A roll call vote was taken. Ayes: Williams, Haskins, Yurchiak, Copley, Darlington, Stugmyer, Hines. Nays: none. **Ordinance No. 20-020 declared to have been adopted April 21, 2020.**

ORDINANCE NO. 20-023 (1st RDG.): AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT WITH NDG REAL ESTATE LLC AND DECLARING AN EMERGENCY

- Sponsored by Council Member Thomas Stugmyer

Mr. Stugmyer noted that Ordinance No. 20-023 had gone out prior to the last City Council meeting. Mr. Patrick had sent information about it, but was not on the last agenda. Mr. Copley asked for additional explanations on it and Mr. Stugmyer asked Mr. Gray to comment.

Mr. Gray said that NDG was the holding company for Advanced Plastics, which discussed plans to construct a new manufacturing facility, corporate parkway, of about 60 thousand square feet. When the City first started working with Advanced Plastics, they were looking at other communities. CRA came into play as a determining factor in their decision to remain in Wadsworth. They met the criteria as per the ordinance and based on their capital investment they would be eligible for a 40 percent property tax abatement, plus the 12 years' criteria. They were in compliance for those terms.

Mr. Copley asked if Mr. Gray had confirmed they would move forward with the project even in this time. Mr. Gray said he'd spoken with one of the principals that morning, yes. Mr. Copley thanked him.

With no other questions, Mr. Stugmyer made a motion, which was seconded by Ms. Haskins, to suspend the three reading on Ordinance No. 20-023. A roll call vote was taken. Ayes: Haskins, Yurchiak, Copley, Darlington, Stugmyer, Hines, Williams. Nays: none. Mr. Stugmyer called the question. Mr. Thurber called for a vote. A roll call vote was taken. Ayes: Yurchiak, Copley, Darlington, Stugmyer, Hines, Williams, Haskins. Nays: none. **Ordinance No. 20-023 declared to have been adopted April 21, 2020.**

ORDINANCE NO. 20-025 (1st 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 ADVANCED CONTROL SYSTEMS, INC. FOR THE PURCHASE OF SIX NTX-200 UPGRADES FOR THE EXISTING NTU-7550 RTUS 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
- A recommendation to suspend the three reading rule and call the question requested by Public Service Committee April 21, 2020

Mr. Darlington explained that the ordinance was for hardware to upgrade the SCADA System, which was the Supervisory Control and Data Acquisition, at all of their substations. What the hardware did was to communicate with the Electric Department and let them know where the outages were and how the system was operating. In case of a storm, as the Service Director explained at the Service Committee, when a tree fell on a line someplace, it helped identify the location so crews could get there quickly. They went to the City of Hudson, which had the same type of equipment, and looked at it. It was found to be satisfactory and a good upgrade for Wadsworth's system. The company that supplied the equipment was looking for business. If the City put the order in by the end of April, they would give a 10 percent discount, which amounted to a \$5,000 to 6,000 savings on the equipment. That was why it was requested for a suspend and call. Mr. Darlington asked Mr. Patrick if there was anything he would like to add.

Mr. Copley asked for the total cost of the upgrade. Mr. Darlington said the total cost, including installation, was about \$60,000. **Mr. Williams** observed that \$65,000 was listed in the ordinance and wanted to know if that was before the discount. **Mr. Patrick** said the figure was after the discount. Mr. Darlington confirmed that the discount was only on the equipment, not installation.

Mr. Yurchiak asked if the expenditure was budgeted for that year and Mr. Patrick said it was not. They had done an upgrade to the software portion, over the winter. Through that, it was determined to be beneficial for them to upgrade the hardware in conjunction, to take full advantage of that, as well as some other issues that came up. The equipment was to the end of its useful life. It had been upgraded through the years, pieces and parts. The last time it was fully upgraded was in 2010 and 2011 with the Smart Grid Project. There were reasons why they decided to move forward at that point. That was why they brought it. There were some other items that would not be purchased in the Electric Department, such as a recloser that they planned on purchasing. Typically, they had three of those for replacement in a year, or additional items. They were able to negotiate in the agreement with Solar, that those would be acquired through that vendor so there wouldn't be any issues with recloser that year. The other portion would come from the IT Department, due to the better maintenance and benefits of this upgrade.

Mr. Yurchiak asked if they were certain that the City would not receive the discount if they did the required readings and did not suspend the readings by the end of the month. Mr. Patrick said that was what they told them. Mr. Copley thought it sounded like a high pressure sales tactic. Mr. Patrick said it was what they were told. Mr. Darlington asked for any other questions. There were none.

Mr. Darlington made a motion, which was seconded by Ms. Haskins, to suspend the three reading rule on Ordinance No. 20-025. A roll call vote was taken. Ayes: Darlington, Stugmyer, Hines, Williams, Haskins. Nays: Copley, Yurchiak. **Motion Failed.**

Mr. Darlington made a motion, which was seconded by Ms. Haskins, to place Ordinance No. 20-025 on second reading. Ms. Haskins asked a question before the vote on the motion: if they did not get a discount, would the amount on the ordinance have to be changed by \$5-6,000. Mr. Patrick stated that it would have to be amended. Mr. Yurchiak stated that he had a hard time believing that they could not go back to the company to see if they could not get that discount and if it had to be by the end of the month – to ask them directly. His issue was that it had not been budgeted and it was a hard decision to just pass it, without

seeing the difference of where they were saving versus where they were spending. Mr. Copley agreed.

The Clerk said there was a vote on the table for an all in favor vote, by Mr. Darlington with a second from Ms. Haskins. An all in favor vote was taken and all Council members present voted in favor of the motion. None were opposed. **Ordinance No. 20-025 advanced to second reading for the meeting of May 5, 2020.**

ORDINANCE NO. 20-026 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE A CUES SEWER INSPECTION SYSTEM FROM M TECH COMPANY THROUGH PARTICIPATION IN AN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACT AND DECLARING AN EMERGENCY

- Sponsored by Council Member Bruce Darlington
- A recommendation to suspend the three reading rule and call the question requested by Public Service Committee April 21, 2020

Mr. Darlington explained that the ordinance was for a camera to inspect the sewers. They had one but it was at the end of its useful life and needed repair quite often. The unit was available through a state purchasing agreement. It was also available through a local company and they had spares in case the camera had to go for repairs. He asked Mr. Patrick to add further details. Mr. Patrick thanked him for another good explanation.

Mr. Copley asked for the total cost on the camera. Mr. Patrick said it was just under \$83,000 and it was in the budget. Mr. Copley said, with the slowdown, how often would they be using the camera. Mr. Patrick said the slowdown in the economy had not necessitated a slowdown in the amount of issues with the sewer lines, both sanitary and storm sewers. The camera was used as needed, especially after storm events.

Mr. Williams asked if there was a backup, a company that would rent or lease the cameras on a short term basis. Ms. Haskins said the company would rent them out. That was a problem with the old company. They did not have rental. Mr. Patrick commented that in the past, when the City's unit went down, they had not been able to secure another unit. When needed, they would pay a third party company to come in and do the work for the City. Mr. Williams understood they could get one if needed and didn't necessarily need a backup. That was correct, said Mr. Patrick.

With no other questions, Mr. Darlington made a motion, which was seconded by Ms. Haskins, to suspend the three reading rule on Ordinance No. 20-026. A roll call vote was taken. Ayes: Darlington, Stugmyer, Hines, Williams, Haskins, Yurchiak, Copley. Nays: none. Mr. Darlington called the question. Mr. Thurber called for a vote. A roll call vote was taken. Ayes: Stugmyer, Hines, Williams, Haskins, Yurchiak, Copley, Darlington. Nays: none. **Ordinance No. 20-026 declared to have been adopted April 21, 2020.**

RESOLUTION NO. 20-17 (1st RDG.): A RESOLUTION AUTHORIZING THE SALE OF VARIOUS ITEMS OF PERSONAL PROPERTY BY INTERNET AUCTION PURSUANT TO RESOLUTION 20-06 AND DECLARING AN EMERGENCY

- Sponsored by Council Member Bruce Darlington

Mr. Darlington said the City held internet auctions every year to sell off surplus equipment. He was not sure exactly what was on the list. He thought they had already done an auction once that year. The new

resolution represented another group of items to be sold. Mr. Patrick did not recall the items; the legislation was a carryover from more than a month ago. He would have to look at it. Mr. Morris placed the exhibit on the screen for all to see. Mr. Copley observed that there was more equipment than vehicles. There was only one vehicle.

As it was something they'd done before, Mr. Darlington made a motion, which was seconded by Mr. Williams to suspend the three reading rule on Resolution No. 20-17. A roll call vote was taken. Ayes: Hines, Williams, Haskins, Yurchiak, Copley, Darlington, Stugmyer. Nays: none. Mr. Darlington called the question. Mr. Thurber called for a vote. A roll call vote was taken. Ayes: Williams, Haskins, Yurchiak, Copley, Darlington, Stugmyer, Hines. Nays: none. **Resolution No. 20-17 declared to have been adopted April 21, 2020.**

That concluded the reading of the legislation.

ADJOURNMENT: Mr. Williams made a motion to adjourn, which was seconded by Mr. Stugmyer. All were in favor. **The meeting was adjourned at approximately 5:41 p.m.**

Clerk of Council

President of Council