

RECORD OF PROCEEDINGS

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

March 9 20 *17*

City of Northwood Regular Council Meetings

March 9, 2017

7:00 P.M.	Call to Order	The regular meeting of the Northwood City Council was called to order by Mayor Ed Schimmel, March 9, 2017 in the Council Chamber.
	Pledge of Allegiance	The Pledge of Allegiance was then given.
	Roll Call	The roll was called by Clerk of Council Intagliata and those in attendance were as follows: Mayor Edward Schimmel, Council President Kozina, Council members: Edwards, Hughes, Barton, Dempsey, Fahrback and Mikolajczyk. City Attorney Ballenger, City Engineer Kuhn and City Administrator Anderson.
	Motion to Excuse	All Council Members Present, none needed.
	Approval of Minutes	The February 9, 2017 minutes were presented. Motion to accept by Council Person Edwards; seconded by Council Person Hughes. Roll call, Edwards; yes, Hughes; abstain, Barton; yes, Kozina; abstain, Dempsey; yes, Fahrback; yes, Mikolajczyk; yes, Motion passed.
	Presentations	None
	Public Comment	None
	Communications	None.
	Council Committee Reports	
	Economic Development	Council Person Barton; No Report.
	Finance	Council Person Hughes; No Report
	Recreation Board	Council Person Hughes; No Report The next meeting is March 15, 2017 at 7:00pm.
	Safety	Council Person Fahrback; Meeting prior to council meeting. Motion by Council Person Mikolajczyk, seconded by Council Person Edwards to purchase the equipment for the two new police SUVs in the amount of \$ 22,236.72. Council Person Mikolajczyk; yes, Council Person Edwards; yes, Council Person Barton; yes, Council Person Hughes; yes, Council Person Kozina; yes, Council Person Dempsey; no, Council Person Fahrback; yes. Motion passed.
	Service	Council Person Edwards; Motion by Council Person Edwards to award the Ritter Ave. Drainage Improvement Project to Cash Services

RECORD OF PROCEEDINGS

Minutes of _____

Meeting _____

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held _____

20 _____

		<p>LLC. In the amount of \$163,059.00 and authorize the City Administrator to sign the necessary paper work. Seconded by Council Person Dempsey. Roll Call. All Ayes. Motion passed.</p> <p>Motion by Council Person Edwards to authorize the City Administrator to sign an agreement with Buckeye Cablevision regarding the City's use of their on-premised Electronic Message Center. This is a 5 year agreement. Seconded by Council Person Hughes. Roll call. All Ayes. Motion passed.</p> <p>Motion by Council Person Hughes to pay the cost of the annual maintenance agreement with Federal Field Service in the amount of \$2,250.00 out of the Redflex fund. Seconded by Council Person Kozina. Roll call. All Ayes. Motion passed.</p> <p>Motion by Council Person to sell surplus city owned property at 333 Florence Ave. City Attorney Ballinger spoke up and stated that the property could not be sold until an appraisal has been completed on the property. Council Person Hughes changed her motion to having the City Administrator arrange an appraisal on the property. Seconded by Council Person Edwards. Roll call. All Ayes. Motion Passed.</p>
	Committee of the Whole	Council President Kozina. No report.
	New Legislation	None
	Pending Legislation	
	Resolutions 2017-01	<p>RESOLUTION IN SUPPORT FOR THE DEVELOPMENT OF STATE AND U.S. BICYCLE ROUTES.</p> <p>Motion by Council Person Hughes to suspend the rules for resolution 2017-01. Seconded by Council Person Fahrback. Roll Call. Hughes; yes, Fahrback; yes. Barton; yes, Edwards; yes, Kozina; no, Dempsey; yes, Mikolajczyk; yes. Motion passed 6 to 1. Motion by Council Person Hughes to declare Resolution 2017-01 an emergency. Seconded by Council person Fahrback. Roll Call. Hughes; yes, Fahrback; yes. Barton; yes, Edwards; yes, Kozina; no, Dempsey; yes, Mikolajczyk; yes. Motion passed 6 to 1. Motion by Council Person Hughes for final adoption of Resolution 2017-01. Seconded by Council Person Fahrback. Roll Call. Hughes; yes, Fahrback; yes. Barton; yes, Edwards; yes, Kozina; no, Dempsey; yes, Mikolajczyk; yes. Motion passed 6 to 1.</p>
	Ordinance 2017-02	<p>ORDINANCE AMENDING N.C.O. 204.01 (a) TITLED "CITY LOGO"; AND DECLARING AN EMERGENCY.</p>

RECORD OF PROCEEDINGS

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held _____ 20_____

		<p>3rd Reading. Motion by Council Person Hughes to pass ordinance 2017-02; Seconded by Council Person Kozina. All Ayes. Motion passed.</p>
	Ordinance 2017-03	<p>ORDINANCE IMPOSING A MORATORIUM ON THE GRANTING OF ANY PERMIT ALLOWING RETAIL DISPENSARIES, CULTIVATORS, OR ANY PROCESSORS OF MEDICAL MARIJUANA WITHIN THE CITY OF NORTHWOOD, OHIO; AND DECLARING AN EMGENCY.</p> <p>3rd Reading. Motion by Council Person Kozina to pass ordinance 2017-03. Seconded by Council Person Edwards. Roll call. Kozina; yes, Edwards; yes, Barton; yes, Hughes; yes, Dempsey; yes, Fahrbach; no, Mikolajcyk; yes. Motion passed 6 to 1. Motion by Council Person Kozina to send ordinance 2017-03 to the Planning Commission. Seconded by Council Person Edwards. Roll call. All Ayes. Motion passed.</p>
	Mayor's Report	None
	City Administrator's Report	<p>NEW LEGISLATION:</p> <p>RESOLUTION 2017-01 IN SUPPORT OF THE DEVELOPMENT OF STATE AND U.S. BICYCLE ROUTES:</p> <p>Per a request from Christine Connell of the Toledo Metropolitan Area Council of Governments: ODOT and TMACOG have been working with members of the bicycling community to establish a network of signed routes as part of a state and national system. To date, over 11,000 miles have been designated across 23 states and Ohio is joining this growing trend. In our region, the routes are a means to connect communities. An important step in officially designating these routes is a resolution of support from local jurisdictions where the routes are located.</p> <p>Since there is no financial obligation incurred by the City of Northwood through the adoption of this resolution, <i>I recommend a motion adopting Resolution 2017-01.</i></p> <p>PENDING LEGISLATION:</p> <p>ORDINANCE 2017-02 AMENDING N.C.O. 204.01 (a), TITLED "CITY LOGO":</p> <p>As discussed with the Economic Development Committee, I am proposing that the City Logo be updated to better reflect the</p>

RECORD OF PROCEEDINGS

Minutes of

Meeting

BEAR GRAPHICS 800-325-8034 FORM NO. 10148

Held

20

changing demographics of the City of Northwood.

1st Reading February 09, 2017.

2nd Reading February 23, 2017.

3rd Reading March 09, 2017.

ORDINANCE 2017-03 IMPOSING A MORATORIUM ON THE GRANTING OF ANY PERMIT ALLOWING RETAIL DISPENSARIES, CULTIVATORS, OR ANY PROCESSORS OF MEDICAL MARIJUANA WITHIN THE CITY OF NORTHWOOD, OHIO:

In 2016, the Ohio legislature passed legislation (Sub. H.B. 523) dealing with the use of medical marijuana in the State. Under this new law, an advisory board will help frame Ohio's Medical Marijuana Control Program. Then, the Department of Commerce will have responsibility for developing rules and regulations governing the business aspects of medical marijuana licenses, cultivation, sales, consumption, and enforcement. Until these rules are written, it is impossible for the City to formulate new legislation dealing with them. Staff is therefore requesting that City Council impose a moratorium of 180 days on permits dealing with this new state statute.

1st Reading February 09, 2017.

2nd Reading February 23, 2017.

3rd Reading March 09, 2017.

MISCELLANEOUS:

WOODVILLE MALL REQUEST FOR PROPOSAL (DEMOLITION AND ABATEMENT):

The City received ten (10) bids for the abatement/demolition and/or abatement and/or demolition of the old "Woodville Mall". Bids were opened February 20, 2017 at 9:00 in Council Chambers. Upon the recommendation of the Service Committee, I will be recommending that the City award the "Woodville Mall" buildings abatement/demolition project to Midwest Environmental, Inc., 28757 Glenwood Road, Perrysburg, Ohio pending successful discussions with the company concerning the timing, staging and other major details of the project.

Upon successful completion of these discussions with Midwest Environmental, I will recommend that this contract be codified by ordinance at our March 23, 2017 council meeting.

WOODVILLE MALL LOAN FROM OHIO WATER DEVELOPMENT AUTHORITY (OWDA) FOR DEMOLITION/ABATEMENT:

The City has applied for a loan from the

RECORD OF PROCEEDINGS

Minutes of

Meeting

BEAR GRAPHICS 800-325-8994 FORM NO. 10148

Held

20

Ohio Water Development Authority (OWDA) in an amount covering the cost of the asbestos abatement (only) in the demolition of the "Woodville Mall" buildings. The loan from OWDA was approved by their Board on February 27, 2017 in an amount exceeding the abatement bids the City has subsequently received.

Since the removal of the asbestos will be tied to the demolition of the buildings, the exact amount of the loan needed is not known. However, in looking at the bids for the project, the companies that did break down the abatement costs and the demolition costs separately showed that the abatement costs were 80 to 90 per cent of the total bids leaving the City tab at 10 to 20 per cent demolition costs.

Upon the recommendation of the Service Committee, I will be recommending that the City accept the loan offer from OWDA pending successful project discussions with Midwest Environmental Inc. concerning the timing, staging and other major details of the project.

Upon successful completion of the discussions with Midwest Environmental, I will recommend that this loan contract with OWDA be codified by ordinance at our March 23, 2017 council meeting.

NORTHWOOD 2017 RITTER AVENUE DRAINAGE IMPROVEMENT PROJECT:

As discussed with the Service Subcommittee, we have received and opened bids for the Ritter Avenue Drainage Project. The proposed work consists of replacing the storm sewer along Ritter Avenue between Woodville Road and Old Curtice Road.

The City Engineer has reviewed and checked the bids and the low monetary bid is in the amount of \$163,059.00 is from Cash Services, LLC.

After checking references and consulting with the City Engineer and city staff, it is my recommendation that City Council award the Ritter Avenue Drainage Project to Cash Services, LLC in an amount not to exceed \$163,059.00 and that the city administrator be authorized to sign any necessary paperwork.

AGREEMENT CONCERNING MUNICIPAL USE OF ON-PREMISES ELECTRONIC MESSAGING CENTER:

When Buckeye Broadband relocated into the City of Northwood, one of their requests was that the City considered changing its zoning code to allow electronic messaging boards. In the general public interest, the City Planning Commission and City Council went along with

RECORD OF PROCEEDINGS

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

20

this request.

The zoning code now provides that, "The owner of the on-premises electronic message center may coordinate with the local authorities to display, when appropriate, information relative to the City of Northwood and emergency information important to the traveling public".

Since both Buckeye and the City desire to coordinate with one another to allow the City to display information relative to the City and emergency information important to the traveling public on the Buckeye On-Premises Electronic Message Center and, accordingly, desire to enter into an agreement concerning municipal use of the Electronic Message Center pursuant to said zoning code.

As discussed with the Service Committee, I am therefore requesting a motion authorizing the City Administrator to enter into said agreement with Buckeye Broadband for said use.

NORTHWEST WATER AND SEWER DISTRICT REIMBURSEMENT:

Northwestern Water and Sewer (NWWS) typically pays governmental entities up front for (storm water) assessments that they certify for an upcoming year. They are then reimbursed when the taxes (assessments) are paid by the property owner.

In 2014, NWWS pre-paid the City of Northwood \$19,860.50 to cover storm water fees owed by Ohio Plaza, Inc. (Woodville Mall owner). In 2014, Ohio Plaza, Inc. failed to pay due taxes and assessments on their property.

Since funds were advanced to the City by NWWS for which they were not reimbursed and with the recommendation of the Service Committee, *I recommend a motion that the Northwestern Water and Sewer District be reimbursed \$19,860.50 representing the amount incorrectly advanced to the City of Northwood for storm water fees due in the tax year 2014.*

SALE OF SURPLUS REAL ESTATE / 333 FLORENCE:

As discussed with the Service Committee, I am requesting a motion authorizing the City Administer to advertise for sale and then to sell to the highest bidder two (2) 33' x 126') City owned surplus lots located at 333 Florence in Northwood, Ohio. This property is identified by the Wood County Auditor's parcels numbers M50-300-860405012000 and M50-300-860405013000

CURTICE ROAD WATERLINE LOOP AND

RECORD OF PROCEEDINGS

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

20

REPLACEMENT:

The Curtice Road waterline loop and waterline replacement are two areas involved in his project. The loop will be a 12 inch main to loop a section of waterline. It will connect the dead end of the waterline of Curtice (east of Pheasant and Bryan) to the existing waterline at Bradner and Curtice Roads. This will eliminate a "dead end" and keep a continual flow for the system. This is done so that if any one section of water distribution main fails or needs repairs, that section can be isolated without disrupting all users of the network.

Home owners adjacent to the new waterline will be offered the opportunity to connect to the waterline through an assessment if they are interested. Connection is not mandatory.

The other part of the project is replacing about one half mile of existing pipeline east of Reva Drive. The replacement is necessary due to the age of the existing pipeline (early 1970s) and repeated failures requiring repairs.

The project will be bid in June and construction is expected to start this summer and be completed in the fall.

Curtice Road will most likely be a single lane during the construction but a final determination will not be made until a contractor is chosen.

OHIO AND MEDICAL MARIJUANA LAW CHANGES:

In response to Ohio's new medical marijuana statute (Sub. H.B. 523), the city attorney and staff have been reviewing the new statute and the effects, if any; it may have on the City's Personnel Policies.

Also, since the new law expressly permits local governments to legislatively regulate and even prohibit medical marijuana cultivation and sale through zoning laws, staff is reviewing the best options using zoning codes.

Also, I am requesting a motion referring this issue to the City Planning Commission for their recommendation vis a vis the City's Zoning Code.

TMACOG TRANSPORTATION SUMMIT 2017:

Reminder: The annual Toledo Region Transportation Summit 2017 will be held on Friday, March 31, 2017 from 8 am to 2 pm at the Premier Banquet Hall, 4480 Heatherdowns Blvd., Toledo, Ohio. For more information contact Christine Connell at 419.241.9155 ext. 119 or connell@tmacog.org.

RECORD OF PROCEEDINGS

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

20

WOOD COUNTY ECONOMIC DEVELOPEMNT COMMISSION ANNUAL DINNER:

The 24th Annual Dinner of the Wood County Economic Development Commission will be held Wednesday, March 22, 2017 beginning at 6:00 P.M. at the Hilton Gardens Inn, Levis Commons in Perrysburg.

As usual, the City has reserved a table for eight and anyone wishing to attend should notify Kelley Amstutz as soon as possible.

EASTERN MAUMEE BAY CHAMBER OF COMMERCE PRISM AWARDS.

The annual Prism awards ceremony will be held Friday May 12 from 6:00 – 8:00 P.M. at the Oregon Branch Library.

The City has eight (8) places reserved and anyone wishing to attend please contact Kelly Amstutz for information.

COMMUNITY CARES COMMITTEE:

The Community Cares Committee golf fund raising outings will be held Sunday June 4, 2017 at Chippewa Golf Course. For details, please see attached flyer.

RECREATION INITIATIVE:

FYI: Today a man knocked on my door and asked for a small donation towards the local swimming pool, so I gave him a glass of water.

ADDENDUM #1

FEDERAL FIELD SERVICES: / ANNUAL PREVENTIVE MAINTENANCE AGREEMENT:

The City currently operates five (5) electromechanical sirens. In order to ensure that they operate properly in emergency situations we've contracted with Federal Field Services over the past few years to annually inspect and perform needed maintenance on them. The cost of the maintenance agreement is \$2,250.00 for 2017. With the concurrence of the Service Committee, *I recommend a motion authorizing the City Administrator to enter into such agreement and also that funds for this agreement be aid out of the City's "Redflex Fund"*

RECORD OF PROCEEDINGS

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

20

	List of Proposed Expenditures in excess of \$10,000.00	None
	City Attorney's Report/Discussion	No Report
	City Engineer's Report/Discussion	Resurfacing of streets should begin about April 15. The new project will be the Ritter Ave. drainage improvement project.
	New Business	<p>Council Person Mikolajczyk started a discussion about a resolution to the Governor in opposition to his budget proposal to collect the Municipal tax and then return them back to the communities minus a fee. City Attorney Ballinger stated that there is a form resolution circulating among the communities regarding this. Mr. Anderson will work on getting the details for City Council's consideration. .</p> <p>Council Person Mikolajczyk questioned an ordinance – 2015-35 in reference to resurfacing of an area of Woodville Road. Mr. Anderson will look at the ordinance and report back.</p> <p>Council Person Mikolajczyk would like to pursue the possibility of Northwood becoming part of a Land Bank. He believes that this could be a tool for Northwood to use to keep the city looking good. Mayor Schimmel will look into a resolution for a land bank.</p> <p>Council Person Mikolajczyk stated that he had seen that the police will be required to enter race and gender on any tickets given. Are the Northwood police going to do this? Mr. Anderson stated that the Police force will follow the law.</p>
	Old Business	None
	Persons Appearing Before Mayor and Council.	None
	Attest:	Acting Council Clerk Intagliata <i>Clara Intagliata</i>
	Approved:	Mayor Edward Schimmel <i>Ed Schimmel</i>
	Adjourned	7:31 pm