

President Steve Henderson called the meeting to order at 7:30pm on May 3, 2021 at 701 Parlette Court with the following members present: Ross Kantner, Brandon Miller, Chad Doll, John Shepline, Terry Campbell and Chad Dunlap. Mayor Thomas Stinebaugh, Law Director Grant Neal and Safety Service Director Floyd Gregg were also present. Councilman Daniel E. Lee was absent.

Motion by Campbell, second by Shepline to approve the minutes of the April 19, 2021 Council meeting as submitted. Vote – 6 yeas, 0 nays. Motion passed.

Streets & Alleys Committee Meeting – a meeting was held on 04-27-2021 and the following was discussed:

- Parking issues at the soccer field off Pine Street
- A request to vacate an alley

The city has received multiple complaints with vehicles being parked on Pine Street, with cars blocking driveways and causing issues for residents that live in the area during soccer games. Multiple options were discussed during our committee meeting. The first option that had previously been discussed was to put a one-way street in on the south side of the soccer field from Water Street over to Pine Street, as well as finishing the gravel parking lot currently on the west side of Water Street. The estimated number of cars that could utilize the new street would be 48. The second option discussed was to cut a parking lot in off Pine Street the length of the east side of the field with traffic entering and flowing from the north to an exit on the south end of the field. Lastly, there was the question of whether this was a logistics and scheduling issues more than a parking issue. If this were the case, it was brought up to consider moving some of the games over to Veteran's Memorial Park, which should cause less people to be needing that parking during the busy season. Safety Service Director Floyd Gregg said that administration is looking into all the options, to see which one will resolve the issue for the residents, as well as those trying to get to and from the soccer fields safely.

The engineering office received a request to vacate an alley off North Street, citing safety issues due to traffic using this alley to avoid waiting for a train. However, the resident was not willing to pay the fees involved for the process of having an alley vacated. The ordinance clearly states that a fee shall be charged to any person petitioning Council to vacate, narrow or change the name of a public street or alley. The fee shall be equal to the actual publication costs, or the costs of making service upon adjacent property owners, involved in the proceeding, as the case may be, including the cost of publication of necessary legislation.

Health & Safety Committee Meeting – a meeting was held on 04-27-2021 and the following was discussed:

The chairman then opened the floor for input from the public regarding the proposed golf cart resolution. Many topics were discussed throughout the meeting, revolving primary around the seat restraint provision. Most prominent topics discussed include the following concerns from the public in attendance:

- If seatbelts were installed on the golf cart and a rollover or fire would occur, it would be more difficult to get children out of the carts.
- Liability of the owner of the golf cart installing seatbelts when only recently were golf carts sold with seat belts included. Older golf carts may not be suitable for seatbelt installation.
- Misunderstandings of current legal situation in which the city does not have legislation legalizing golf carts on its streets
- Concern about how quickly seatbelts will need to be installed following potential passage of this resolution. There was a request for a "burn in" period during which the police would not enforce the seat belt provision to allow for parts to arrive.
- Potential liability to the city of Wapakoneta passing this resolution without the seatbelt provision
- Concerns that mandating seatbelts will hurt the community's ability to attract people from outside of town for events and fundraisers.
- Concerns regarding whether the seatbelt provision was a primary or secondary offense. The law director assured us it was a secondary offense.
- Suggestions for the seatbelt provision to be removed and replaced with "all passengers must be seated on the cart at all times..."

The committee was able to have a productive discourse on these and other topics with the community members in attendance. The committee also reassured the public that this ordinance was designed to legalize golf carts and side by sides in a way that allows our police to do their jobs effectively, and that there would in fact be a “burn in” period to allow individuals to equip carts with proper seat restraints. At this time, the committee feels that this ordinance has had many discussions and input from the correct parties including police, administration, and community members, and thus should be moved forward for adoption.

Mr. Campbell asked if there would be a specific length of time given for said “burn in” period. Mr. Miller answered he felt it would be up through the beginning of next year. President Henderson added that the matter would be within the officer’s discretion. Mr. Doll added that the seatbelt violation would be a secondary offense, meaning that a separate offense must first occur.

Communications-

Clerk McDonald read a letter from the Ohio Division of Liquor Control for a permit transfer to: Buckeye Valley Pizza Hut LTD DBA Pizza Hut of Wapakoneta, 1280 Bellefontaine St. Unit 4, Wapakoneta, Ohio from Buckeye Valley Pizza Hut LTD DBA Pizza Hut of Wapakoneta, 905 Apollo Drive, Wapakoneta, Ohio. Council did not request a hearing.

Clerk McDonald read a letter from the Ohio Division of Liquor Control regarding the annual notice that all permits to sell alcoholic beverages will expire on July 1, 2021. Council did not voice any objections.

Guest Petitions -

Mr. Todd Meier of 809 Helen Drive requested Council’s permission to hold a Memorial Day parade in downtown Wapakoneta on May 31, 2021. Mr. Meier provided a copy of the proposed parade route to Council and summarized his planning efforts and communications with the Chamber of Commerce.

Motion by Doll, second by Dunlap to approve the request with the appropriate documentation. Vote – 6 yeas, 0 nays. Motion passed.

Mr. Derroll Miller of 24258 Middle Pike and owner of the property on the corner of Benton and Willipie Streets, addressed Council about the curbing that was recently installed at his property, citing it creates difficulties in getting large trucks in and out. Mr. Derroll Miller added that initially, the City informed him there would not be curbing installed there. Mayor Stinebaugh noted that there were miscommunications regarding the matter, and asked Mr. Derroll Miller what could be done to alleviate the situation. President Henderson stated that Mike Miller, Mr. Derroll Miller’s son, approved the plans for the curb work at the Engineering Department. Mr. Derroll Miller voiced his concerns about doing damage to the curb and his vehicles, questioning who would be liable for such damage if it occurred. Mayor Stinebaugh suggested, rather than tearing out the new curb, to pour concrete there to level it out or to leave it as is. Mr. Derroll Miller stated that if the City opts to leave the curb as-is, he would like a written statement from the City that he will not be held liable for any damage. Mayor Stinebaugh answered that the curb lies in the City’s right-of-way, and Mr. Derroll Miller would not be held liable for damage to it. Mr. Campbell added that council meeting minutes shall be held as official record that Mr. Derroll Miller would not be held responsible if the curb is damaged.

New Business –

Service Director Gregg requested Council’s permission for the request of new utility service for an outbuilding located at 808 Barbara Lane. Motion by Doll, second by Campbell to approve the request. Vote – 6 yeas, 0 nays. Motion passed.

President Henderson asked Clerk to read Ord 2021-22 for the third time re: AN ORDINANCE AUTHORIZING THE DIRECTOR OF SAFETY AND SERVICE TO ENTER INTO A PURCHASE AGREEMENT FOR ONE RING-O-MATIC 550 HI CFM VACUUM EXCAVATOR TRAILER.

Motion by Doll, second by Sheipline to adopt Ord 2021-22. Vote – 6 yeas, 0 nays. Motion passed.

President Henderson asked Clerk to read Ord 2021-23 for the third time re: AN ORDINANCE AUTHORIZING CORPORATED PROPERTY IN THE CITY OF WAPAKONETA TO CHANGE COUNTY ADDRESS TO CITY OF WAPAKONETA ADDRESS SYSTEM.

Motion by Campbell, second by Dunlap to adopt Ord 2021-23. Vote – 6 yeas, 0 nays. Motion passed.

President Henderson asked Clerk to read Ord 2021-24R for the third time re: AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO SET SPECIFICATIONS, ADVERTISE FOR BIDS, A GRIND AND PAVE CONTRACT FOR VARIOUS STREETS WITHIN THE CITY OF WAPAKONETA USING TAX LEVY MONIES.

Motion by Kantner, second by Doll to adopt Ord 2021-24R. Vote – 6 yeas, 0 nays. Motion passed.

President Henderson asked Clerk to read Res 2021-25R for the third time re: A RESOLUTION AUTHORIZING THE USE OF UNDERSPEED VEHICLES AND MINI-TRUCKS ON THE PUBLIC AND HIGHWAYS OF THE CITY OF WAPAKONETA.

Motion by Miller, second by Campbell to adopt Res 2021-25R. Vote – 6 yeas, 0 nays. Motion passed.

President Henderson asked Clerk to read Ord 2021-26 for the first time re: AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO SET SPECIFICATIONS, ADVERTISE FOR BIDS AND EXECUTE A PURCHASE AGREEMENT FOR ONE (1) 69/12.47 kV 20MVA POWER TRANSFORMER AND DECLARING AN EMERGENCY.

Mayor Stinebaugh advised Council that any delays will result in failure to get the new solar field online in a timely manner.

Motion by Campbell, second by Doll to suspend the rules for Ord 2021-26. Vote – 6 yeas, 0 nays. Motion passed.

Motion by Campbell, second by Shepline to adopt Ord 2021-26. Vote – 6 yeas, 0 nays. Motion passed.

President Henderson asked Clerk to read Res 2021-27 for the first time re: A RESOLUTION AUTHORIZING THE CITY OF WAPAKONETA TO ADMINISTER FINANCIAL ASSISTANCE FOR PUBLIC RECREATION PURPOSES THROUGH THE STATE OF OHIO NATURE WORKS PROGRAM AND DECLARING AN EMERGENCY.

Service Director Gregg advised that the Resolution is needed to apply for a grant to help pay for the proposed Pine Street soccer field parking project.

Motion by Doll, second by Dunlap to suspend the rules for Res 2021-27. Vote – 6 yeas, 0 nays. Motion passed.

Motion by Kantner, second by Campbell to adopt Res 2021-27. Vote – 6 yeas, 0 nays. Motion passed.

President Henderson asked Clerk to read Ord 2021-28 for the first time re: AN ORDINANCE ESTABLISHING CERTAIN PARKING BANS AND RESTRICTIONS WITHIN THE CITY LIMITS AND AMENDING SECTION 452.98 "SCHEDULES" AUTHORIZING THE ERECTION OF SIGNS FOR THE ENFORCEMENT OF THE SAME AND DECLARING AN EMERGENCY.

Motion by Miller, second by Campbell to suspend the rules for Ord 2021-28. Vote – 6 yeas, 0 nays. Motion passed.

Motion by Miller, second by Doll to adopt Ord 2021-28. Vote – 6 yeas, 0 nays. Motion passed.

The Mayor gave the following report:

On behalf of Auglaize County Historical Society, Mayor Stinebaugh noted that May is 'National Historic Preservation Month'.

Distributed 'Back the Blue' annual report information to City Council.

Mr. Campbell asked for a timeline on construction for the new solar field. Mayor Stinebaugh replied that the field has been rolled and boring holes will occur soon. Mayor Stinebaugh added that the site is 63 acres in size, and the projected savings will be approximately one million dollars per year. The total amount of tax-payer dollars spent is for the transformer alone, with the field itself being funded by developers who are selling 100% of the power to the City. There will not be hazardous metals leaking into the soil now that newer technology has been developed for solar fields. The materials will be recyclable at the end of its life.

The Service Director gave the following report:
No report.

The Law Director gave the following report:
No report.

Mr. Campbell asked if Law Director Neal spoke to Mr. John Wade. Mr. Neal replied, yes.

Scheduling Committee Meetings:

Lodging Tax Committee will meet on May 17th at 6:15pm at City Hall if needed.

Lands & Buildings Committee will meet on May 6th at 3:30pm at City Hall.

Miscellaneous Business -

Mr. Campbell gave a reminder that business owners or workers in the downtown area ought to consider not parking directly in front of businesses on Auglaize Street, as it deters customers.

Motion by Doll, second by Dunlap to adjourn the meeting at 8:19pm. Vote – 6 yeas, 0 nays. Motion passed.

President

Clerk of Council