

President Chad Doll called the meeting to order at 7:30pm on January 15, 2024 at 701 Parlette Court with the following members present: Alex Stinebaugh, Jessica Muhlenkamp, Brandon Miller, Alex Greve, John Shepline, Terry Campbell and Chad Dunlap. Mayor Dan Lee, Law Director Grant Neal and Safety Service Director Michael Brillhart were also present. There were 8 visitors present.

Motion by Dunlap, second by Shepline to approve the minutes of the January 2, 2024 Council meeting as submitted. Vote – 7 yeas, 0 nays. Motion passed.

Received Income Tax Summary Report for Month Ending 12-31-2023.

**Ad-Hoc Committee**— a meeting was held on 01-09-2024 and the following was discussed:

The committee discussed recent communications between President Doll and our final contender firms for the strategic plan consultation services. Mr. Doll noted that he could not make contact with Envision despite trying multiple avenues. He did have success reaching out to the founder of Reveille who was very gracious and available to speak. Mr. Doll also reached out to multiple communities, among them Defiance and Napoleon, who have hired Reveille for planning services. Both communities gave very positive reviews of Reveille and their work, which the committee found very reassuring. The cost estimate with Reveille is \$73,000 for the project, which is much lower than the committee and Mr. Brillhart thought the city would be required to pay for this service. There was a motion by Shepline, second by Miller to move forward in the process with Reveille. Motion passed unanimously, 2-0. Mr. Brillhart will draft a contract and an ordinance for council to review, and also contact Reveille management regarding the optimal next steps in the process. The committee feels that listening to Reveille regarding the process moving forward is the correct path given their expertise. We also hope to hold a meeting with Reveille in the near future.

**Committee of the Whole** – a meeting was held on 01-09-2024 and the following was discussed:

President Doll summarized that the purpose of the meeting was to cover some general housekeeping items, councilperson training topics, discussion of the April 8, 2024 Total Solar Eclipse preparations and concerns, as well as the recent passage of Issue 2 which legalizes recreational marijuana use.

Clerk McDonald noted that she is currently re-taking the Ohio Attorney General's Sunshine Law Certification training course. Clerk McDonald completes this training once per Council term, on their behalf, but encouraged all elected officials to take the online course.

Clerk McDonald asked Council to provide citizens with a 'privilege of the floor' form if they wish to speak at a City Council meeting. Hard copies of the form are available at City Hall, and an electronic version is available on the City's website.

Clerk McDonald asked that Council specify last names when referencing each other during a meeting, for the benefit of the public and listening audience.

Clerk McDonald gave a reminder that any committee meeting scheduled should be announced to the media and the public in a thorough and timely manner.

President Doll reminded Council to utilize their city email address for city business rather than their personal emails.

Mr. Doll emailed Council website links for further education on ethics laws with the State of Ohio.

Mr. Doll also noted the newly elected officials training being offered in March by the Ohio Municipal League. 'Rules of Council' have been updated as of December 2023 and Council has received a copy of same. Reasons for Council to go into Executive Session are listed within 'Rules of Council' for reference.

Mr. Campbell asked if there is a specific rule prohibiting electronic devices from entering an executive session. Clerk McDonald replied that while she could not directly cite a rule on the matter, she advises against bringing devices into executive sessions.

Mayor Lee encouraged Council to reach out to himself or SSD Brillhart with any questions they may have, and requested they please follow this chain of command. Mayor Lee stated that he and SSD Brillhart will then reach out to Department Heads to obtain further information if needed.

President Doll noted that much of the decision-making regarding the upcoming April 8, 2024 Total Solar Eclipse event rests on City Administration, but encouraged City Council to remain informed as the event draws near. Wapakoneta Police Chief Calvin Schneider addressed Council about the department's plan

for the sudden influx of people to the City during the event weekend. Wapakoneta Fire, EMS & Police Departments are working together on their response plans and options for emergency calls. Chief Schneider requested contact information for every City Department in the event that cell towers can't provide adequate phone service. Chief Schneider discouraged the City from hosting any extra events during the eclipse week, as City Department staff will have enough work to do with added tourists arriving and departing.

Emergency Management Agency Troy Anderson addressed Council about the incredible volume of vehicle traffic expected. Mr. Anderson added that area parks and cemeteries need to be monitored, as tourists will utilize those locations heavily during an eclipse event. The State of Ohio is projecting an additional 70,000 - 150,000 people entering Auglaize County during the eclipse weekend. Mr. Anderson encouraged the City to track any expenses incurred due to the eclipse event. Mr. Anderson is developing a contact list of those responsible for any eclipse events within Auglaize County to include within his incident action plan. The State of Ohio website has automatically named some of Wapakoneta's City parks as "eclipse viewing sites" for the public, and the City should review this information and make any changes needed as soon as possible. Ohio Department of Transportation will be providing signage to help with traffic flow. Mr. Anderson noted a multitude of services that will likely be affected by the event and the logistics being considered. All of the area City School districts will be closed for April 8, 2024.

Council's concerns included: local traffic flow, communications with residents, refuse and recycling services, additional law enforcement, pharmaceutical supplies, gasoline, food supplies, parking, protection of parks and cemeteries, urgent care, restroom facilities, wireless internet service and the Water Street construction project.

Wapakoneta Chamber Director Jackie Martell stated their focus has been to help plan and promote the various eclipse events and local businesses while also considering logistics, distribution, safety and communication efforts. Lodging tax funds were utilized for a promotional website, social media and event communications with the public.

Wapakoneta Fire Department Officer Kevin Bellman explained plans for additional staffing as well as EMS staging locations and landing zones.

President Doll then opened the floor to discussion of the passage of Issue 2, legalizing recreational marijuana use in the State of Ohio. Health & Safety Committee has held a meeting with Law Director Neal and Police Chief Schneider on the matter, but little finalized information was available from the State. Councilman Stinebaugh stated that medical marijuana dispensaries will soon have the option to apply for a recreational dispensary permit, but timing is unknown.

Guest Petitions -

Mr. Lucas Shumate of 313 Stinebaugh Drive read a statement to Council for his support of Issue 2 and the responsible use of marijuana, encouraging City officials to educate themselves and work together during this change.

Mrs. Janet Munday of 202 Jacobs Drive read a statement to Council for her opposition to Issue 2 and encouraged Council to adopt an ordinance to prohibit marijuana dispensaries, cultivators and adult recreational use in the City of Wapakoneta.

**Finance Committee**— a meeting was held on 01-10-2024 and the following was discussed:

The committee first heard from our bond council team via a virtual meeting. Bond council spoke to us regarding the \$4 million bond for the fire department building expansion. Bond council advised the committee that a 10- or 15-year term will be an easier process due to them being done via a bank placement. They advised us that going to a 20-year term would likely remove much of the bank interest and lead to a longer process in the capital markets. Interest rates have come down a bit since our last look at the bond prices, so the yearly prices for the 15-year bond look favorable at this point given the relative ease of the bank placement. Motion by Shepline, second by Campbell to recommend moving forward with the 15-year bank placement. Motion passed unanimously. Mr. Brillhart will work with bond council moving forward on the project.

The second item on our agenda was hearing concerns from Parks director Jack Hayzlett. His concerns were many. First, he feels that he has never really had a job description as recreation director, and that he is only paid for 10 hours per week. He also expressed that the pool manager job is only paid over 6 months, and so he is currently not performing the duties of pool manager because he is not yet being paid for the job. He argued that if the lifeguards and assistant managers received a 30% pay increase, then the pool manager should also receive a 30% pay increase and be paid over the course of 12

months. He also expressed concern that the maintenance supervisor position is not in the budget, but rather funded with ARPA funding only through 2024. There were also points made regarding where Mr. Hayzlett requests the extra \$125,000 that the auditor will transfer to the pool fund be placed in specific lines within the budget. He also expressed concerns about a lack of pool improvement dollars, the amount of labor dollars, and other budgetary concerns. Mr. Miller stated that an effort will be made to have a meeting between the finance committee, Mr. Hayzlett, and Auditor Wells in order to clear up these issues. Mr. Brillhart also maintains that a city of our size can easily have at least a \$500,000 per year annual parks budget. He feels that our parks budget is very low for a city of our size.

**Parks Committee**— a meeting was held on 01-10-2024 and the following was discussed:

Ongoing projects at Harmon Park and the Parkplatz

There are no current updates. There was some discussion about the exact location of the signage to be placed at the Parkplatz and where that funding would come from since it originally came from the Lodging Tax.

Geese & Hunting Ordinance

The idea of a hunting ordinance for nuisance animals was discussed based on the St Marys example provided by Miller. The idea of a designated area within the City limits was preferred for safety as well as an application for property owners and hunters.

Eclipse

Veterans Park and Breakfast Optimist Park were confirmed as desired to be the main viewing areas to be advertised after the Committee of the Whole meeting. Safety Service Director indicated that better recommendations would most likely be available after the Tabletop exercise with the EMA on February 1st. There were several questions about the City's ability to enforce the 11 PM park curfew and how to ensure restroom facilities were maintained. Park Director Hayzlett agreed that snow fencing could be put up to protect ball fields but was concerned about the cost of staff hours as well as the success of such a small barrier. This led to additional questions about what additional dollars would be necessary for Parks to function successfully during the Eclipse as percentage increases have already been provided for other departments.

Formation of new Recreation Advisory Board

With the disbanding of the previous Recreation Board and the ordinance creating a new Recreation Advisory Board, the City Council is in need of two representatives. These representatives would serve alongside two representatives appointed by the Mayor and one representative appointed by the Board of Education. The Parks Committee would like to take this opportunity to announce publicly their need and invite interested candidates to come forward to be part of this new advisory board to serve a four year term and help bring community ideas to the table for the betterment of Wapakoneta's Parks.

General Parks

Park Director Hayzlett provided an overview of the creation of the different salaried positions and his presented budget and concerns about the lack of funds. Currently the budget numbers from the Auditor are not aligning with the need based on 2023 actual expenditures, for example, salaries. Miller explained that the Auditor was hesitant to add funds to the Park Departments outside of the Levy proceeds of approximately \$168,000. Safety Service Director Brillhart indicated that City's of similar size have \$500,000 budgets. This led to questions for whether a Levy increase would be in order as currently the Parks have no other revenue. While organizations who use the facilities do not pay to use them their volunteers and donations do assist.

Waterpark

Park Director Hayzlett provided an overview of the Pool Manager position and expressed frustration that it was only paid 6 months out of the year. This left items needing done before opening being done either unpaid or not completed. Brandon Miller made a motion to stretch the payment of the Pool Manager position to a 12 month cycle, seconded by John Shepline.

Michael Brillhart will complete research into the original ordinance to confirm that this is possible before moving forward.

The conversation continued around funding including both the budget and capital improvements. The budget from the Auditor did not include dollars for pool improvements and the Capital Improvements plan is currently not funded so there were concerns about where improvement dollars might come from including the desire for new chairs and other equipment. This brought up a discussion of the funds in the Hauss Helms account. Currently, there is \$750,000 left in the account from building of the pool. The

Auditor has previously stated that those funds are to be kept to accrue interest based on Ordinance # 2007-17 but some Committee members felt there was an opportunity to spend them as long as the funds were used for "recreational facilities."

The pool would be unable to make capital improvements under its current budget as it is already operating at approximately a \$200,000 loss.

Finally, there was a brief discussion for ideas for operational changes. For example, allowing students of WCS to have a discounted rate to encourage students to come to the pool multiple days a week. Park Director Hayzlett was asked to create a proposal for all operations for the Pool for 2024 to bring to the next Parks Committee meeting.

Mr. Dunlap expressed concern about the volume of traffic expected during the solar eclipse weekend and the listing of City parks as viewing areas. Mr. Miller stated that the committee felt it to be irresponsible to list all of the City parks on the Ohio.gov website as viewing locations due to limited amenities and parking spaces.

Mr. Miller pointed out that the committee recommended to pay the pool manager position throughout the calendar year, but did not increase the pay for said position.

Mrs. Muhlenkamp advised that the Lodging Tax Committee did not have a quorum for this evening's meeting.

#### **Communications & Rules Committee -**

Mr. Stinebaugh summarized the committee members discussed 'The Informer' newsletter and provided him with a brief orientation.

#### **Communications -**

Clerk McDonald noted that Council received a letter from Verilife Medical Cannabis Dispensary of 502 Dixie Highway, Wapakoneta, making general introduction to council and offering their perspective for legal cannabis sales in the State of Ohio.

#### **Guest Petitions -**

Mrs. Jackie Martell of 411 W. Auglaize Street and representing Wapakoneta Chamber of Commerce requested Council's permission and the City's support of the following community events for 2024: Party in the Park series, Summer Moon Festival, and the annual Halloween Parade. Mrs. Martell provided an overview of the events and logistics, road closure requests and utility needs. Motion by Campbell, second by Greve to approve the event requests as submitted to Council. Vote – 7 yeas, 0 nays. Motion passed.

Mr. Sean Clement of 1111 Schrock Road, Columbus and representing 'Efficiency Smart' for American Municipal Power, Inc. gave a presentation to Council about the Efficiency Smart program as well as a summary of its benefits to utilities consumers.

#### **Unfinished Business –**

Regarding the listing of City parks as eclipse viewing sites on the www.Ohio.gov website, the Parks Committee recommends listing only Veterans Park and Breakfast Optimist Park. Motion by Greve, second by Miller to list only Veterans & Breakfast Optimist Parks as eclipse viewing locations on the State website. Vote – 6 yeas, 1 nay (Dunlap). Motion passed.

Mr. Greve then asked Law Director Neal to provide an update on the status of 'Issue 2' and the options that municipalities have to regulate or ban recreational marijuana sales within their communities. Mr. Neal summarized that home grown marijuana is now completely legal in the State of Ohio. Municipalities may have the ability to limit the opening of new marijuana dispensaries, but cannot limit or regulate any existing dispensaries. Mr. Greve then read a prepared statement in his opposition to recreational marijuana sales within the City of Wapakoneta. Mr. Greve noted that the majority of Wapakoneta citizens and residents of Auglaize County voted 'no' on 'Issue 2'. Mr. Greve added that other communities in the State of Ohio are passing emergency legislation to ban recreational marijuana sales, as well as changing their zoning laws to prohibit marijuana dispensaries from conducting business in their communities. Mr. Greve summarized that he feels strongly that Wapakoneta City Council needs to act now to have

legislation in place to prohibit marijuana dispensaries from coming to Wapakoneta. Mr. Campbell asked Law Director Neal if the State made any amendments to 'Issue 2'. Mr. Neal answered that the law and language of 'Issue 2' is in place and has been since December 7, 2023, with no amendments made thus far. Mr. Miller asked what process must be followed for a medical marijuana dispensary such as 'Verilife' to also become a recreational-use dispensary facility. Mr. Neal stated that licensure would be needed from the State of Ohio. Mr. Miller asked if a City ordinance to ban recreational marijuana dispensaries within the community would impede an existing dispensary from obtaining their recreational license. Mr. Neal replied, yes, that is the understanding. Mr. Miller asked Mr. Neal to research the provision that states that significant tax revenue could be obtained for the City with recreational marijuana sales, and asked that Council consider this potential revenue as well as the needs of the existing medical dispensary facility in the discussion process.

President Doll asked Clerk to read Ord 2023-68 for the third time re: AN ORDINANCE ADOPTING POLICIES AND PROCEDURES FOR THE INTERCONNECTION OF BEHIND-THE-METER (BTM) GENERATORS AND SCHEDULE "SPP" – SMALL POWER PRODUCTION ELECTRIC RATE APPLICABLE TO ENERGY SUPPLIED BY BTM GENERATORS.

Motion by Dunlap, second by Campbell to adopt Ord 2023-68. Vote – 7 yeas, 0 nays. Motion passed.

President Doll asked Clerk to read Ord 2023-69 for the third time re: AN ORDINANCE APPROVING THE EXECUTION OF AN EFFICIENCY SMART SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC.

Motion by Campbell, second by Greve to adopt Ord 2023-69. Vote – 7 yeas, 0 nays. Motion passed.

President Doll asked Clerk to read Ord 2023-70 for the third time re: AN ORDINANCE AMENDING SECTION 891.062 "NET PROFIT, INCOME SUBJECT TO NET PROFIT TAX, ALTERNATIVE APPORTIONMENT;" AND SECTION 891.094 "EXTENSION OF TIME TO FILE;" AND SECTION 891.10 "PENALTY, INTEREST, FEES AND CHARGES" OF CHAPTER 891 "EARNED INCOME TAX REGULATIONS" OF THE CODIFIED ORDINANCES OF WAPAKONETA, OHIO.

Motion by Dunlap, second by Miller to adopt Ord 2023-70. Vote – 7 yeas, 0 nays. Motion passed.

President Doll asked Clerk to read Ord 2023-71 for the third time re: AN ORDINANCE AUTHORIZING THE DOWNTOWN WAPAKONETA PARTNERSHIP TO EXPEND FUNDS THAT WERE APPROPRIATED TO IT IN 2023 IN THE CALENDAR YEAR 2024.

Motion by Miller, second by Campbell to adopt Ord 2023-71. Vote – 6 yeas, 0 nays, 1 abstain (Muhlenkamp). Motion passed.

President Doll asked Clerk to read Ord 2024-01 for the second time re: AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY AND SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR CERTAIN MATERIALS, SERVICES AND EQUIPMENT RENTAL REQUIRED FOR THE OPERATION OF THE VARIOUS DEPARTMENTS OF THE CITY OF WAPAKONETA.

President Doll asked Clerk to read Ord 2024-02 for the second time re: AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY AND SERVICE TO EXECUTE AN AGREEMENT WITH THE DUCHOUQUET TOWNSHIP TRUSTEES FOR FURNISHING OF FIRE PROTECTION AND AMBULANCE SERVICE.

President Doll asked Clerk to read Ord 2024-03 for the second time re: AN ORDINANCE AMENDING ADOPTED ORDINANCE 2023-42 AUTHORIZING THE APPROPRIATION OF AMERICAN RESCUE PLAN ACT FUNDS FOR INVESTMENTS IN INFRASTRUCTURE AND OPERATIONS FOR YEARS 2023 AND 2024.

President Doll asked Clerk to read Res 2024-04 for the first time re: A RESOLUTION AUTHORIZING THE FILING OF AN H2OHIO RIVERS INITIATIVE: CHLORIDE REDUCTION GRANT APPLICATION WITH THE OHIO ENVIRONMENTAL PROTECTION AGENCY AND DECLARING AN EMERGENCY.

Motion by Campbell, second by Miller to suspend the rules for Res 2024-04. Vote – 7 yeas, 0 nays. Motion passed.

Motion by Dunlap, second by Muhlenkamp to adopt Res 2024-04. Vote – 7 yeas, 0 nays. Motion passed.

**Mayor's report:**

Attended WAEDC meeting  
Attended DWP meeting  
Attended Wapak Service Club meeting  
Attended Wapak Rotary meeting  
Attended Meeting of the Whole  
Attended the Auglaize County Homeless Coalition meeting  
Attended the Ribbon Cutting for the Neil Armstrong Museum  
Signed off on the purchase of the 208 Harrison Street property  
Toured the G.A. Wintzer Plant  
Attended Records Commission meeting

Mr. Miller asked that the City's refuse and recycling services continue to be a priority discussion.

**Service Director report:**

Emergency Management Agency is conducting a tabletop exercise on February 1<sup>st</sup> to practice for the April 8<sup>th</sup> total solar eclipse event in Auglaize County.  
Fire Department building expansion project will receive bids this month.  
City has leased a property on Defiance Street for the use of the Engineering Department staff.  
Engineering Department building will be demolished in February.  
Regarding the City's closed landfill, a presentation will be provided to Council about the measures and details that must be in place.  
Earned income tax report provided to Council in packets.  
Industrial water line project can now move forward with a 30 year Ohio EPA loan. Discussion continues on finding a site for the new water tower.

Mrs. Muhlenkamp asked for the City's plans for the Stahler Trucking property at 208 Harrison Street. SSD Brillhart explained that the house located at this property does not have adequate space for the City's Engineering Department. The maintenance building on the property will be utilized for many City projects.

Mr. Miller asked if the pool manager position can be paid yearly. SSD Brillhart answered, yes, the current wage can be dispersed through the calendar year.

Mr. Miller asked when Council will receive the 2024 budget with carryover amounts. SSD Brillhart answered, February.

**Law Director report:**

Established a meeting schedule with Mayor Lee.  
Attended Records Commission meeting.

Mr. Campbell asked for an update on the East Town Drive property. Mr. Neal stated it is in the hands of the closing agent.

Mrs. Muhlenkamp asked that Downtown Wapakoneta Partnership be notified of status of funds.

**Scheduling Committee Meetings:**

A joint Parks Committee & Finance Committee meeting will occur on January 18<sup>th</sup> at 2pm at City Hall.  
Health & Safety Committee meeting will occur on January 18<sup>th</sup> at 5:30pm at City Hall.

Motion by Miller, second by Stinebaugh to adjourn the meeting at 9:13pm. Vote – 7 yeas, 0 nays. Motion passed.

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President

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Clerk of Council

