



REGULAR CITY COUNCIL MEETING

Thursday, September 26, 2024 at 7:00 PM

Access meeting materials and information via the Northwood, Ohio Public Portal:
<https://northwoodoh.portal.civicclerk.com/>

Members of City Council

Louis Fahrbach, Council President
Dean Edwards
Jim Barton
Randy Kozina
Pat Huntermark
Mark Stoner
Michael Melnyk

CALL TO ORDER:

PLEDGE OF ALLEGIANCE: *Mayor Schimmel*

ROLL CALL:

APPROVAL OF MINUTES:

- September 12, 2024 Council Meeting Minutes

PRESENTATION:

PUBLIC COMMENT:

COMMUNICATIONS:

COUNCIL COMMITTEE REPORTS:

Economic Development ~ *Councilor Jim Barton*

Finance ~ *Council President Louis Fahrbach*

Recreation Board ~ *Councilor Jim Barton*

Safety ~ *Councilor Mark Stoner - Meeting On 9/26 @ 6:30PM*

Tree Commission ~ *Councilor Michael Melnyk*

Service ~ *Councilor Dean Edwards*

Parks, Rec & NCC ~ *Councilor Pat Huntermark*

Committee Of The Whole ~ *Council President Louis Fahrbach*

CEREMONIAL ITEMS:

NEW RESOLUTION:

RESOLUTION 2024-09 A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A RENEWAL CONTRACT FOR WOOD COUNTY PUBLIC DEFENDER SERVICES FOR THE YEAR 2025. *1st Reading.*

PENDING RESOLUTION:

RESOLUTION 2024-06 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. *3rd Reading.*

RESOLUTION 2024-07 A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION FOR THE LOCAL PARKS GRANT PROGRAM THROUGH THE WOOD COUNTY PARK DISTRICT AND ACCEPT THE GRANT PROCEEDS IF AWARDED; AND DECLARING AN EMERGENCY. *3rd Reading.*

NEW LEGISLATION:

ORDINANCE 2024-34 AN ORDINANCE ADOPTING THE NORTHWOOD PLANNING COMMISSION'S RECOMMENDATION TO AMEND CHAPTER 1240 OF THE NORTHWOOD CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY. *1st Reading.*

ORDINANCE 2024-35 AN ORDINANCE ADOPTING THE NORTHWOOD PLANNING COMMISSION'S RECOMMENDATION TO AMEND CHAPTER 1250 OF THE NORTHWOOD CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY. *1st Reading.*

ORDINANCE 2024-36 AN ORDINANCE ADOPTING THE NORTHWOOD PLANNING COMMISSION'S RECOMMENDATION TO AMEND CHAPTER 1274 OF THE NORTHWOOD CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY. *1st Reading.*

ORDINANCE 2024-37 AN ORDINANCE ADOPTING THE NORTHWOOD PLANNING COMMISSION'S RECOMMENDATION TO AMEND CHAPTER 1276 OF THE NORTHWOOD CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY. *1st Reading.*

ORDINANCE 2024-38 AN ORDINANCE ADOPTING THE NORTHWOOD PLANNING COMMISSION'S RECOMMENDATION TO AMEND CHAPTER 1282 OF THE NORTHWOOD CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY. *1st Reading.*

ORDINANCE 2024-39 AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH PUBLIC CONSULTING GROUP, LLC FOR THE ESTABLISHMENT OF ALTERNATIVE PAYMENT METHOLOGIES FOR PROVIDERS; AND DECLARING AN EMERGENCY. *1st Reading.*

ORDINANCE 2024-40 AN ORDINANCE REPEALING NORTHWOOD ORDINANCE 2023-39; AND DECLARING AN EMERGENCY. *1st Reading.*

PENDING LEGISLATON:

MAYOR: *Mayor Schimmel*

CITY ADMINISTRATOR: *Kevin Laughlin*

CITY FINANCIAL REPORT(S)

- August Financials
- August 2024 Bank Reconciliation

LIST OF EXPENDITURES OVER \$10,000

<u>Invoice</u>	<u>Description</u>	<u>Amount</u>
COMMUNITY CARES	FALL FESTIVAL 2024 DONATION	\$15,000.00
THE LATHROP COMPANY INC	FINAL CLOSE OUT FOR NCC	\$524,920.55

CITY ATTORNEY’S REPORT/DISCUSSION: *Brian Ballenger*

CITY ENGINEER’S REPORT/DISCUSSION: *Dave Kuhn*

NEW BUSINESS:

OLD BUSINESS:

PERSONS APPEARING BEFORE THE MAYOR AND COUNCIL:

EXECUTIVE SESSION:

ADJOURNMENT:

September 12, 2024

City of Northwood
City Council Meeting Minutes

CALL TO ORDER

The Regular meeting of the Northwood City Council was called to order by Mayor Schimmel at 7:00 PM on September 12, 2024 in the Council Chambers and via Zoom.

PLEDGE OF ALLEGIANCE Mayor Schimmel

Pledge of Allegiance was given.

ROLL CALL

The roll was called by Clerk of Council Popovitch and those in attendance were as follows: Mayor Schimmel, Council President Fahrbach, Councilor Edwards, Councilor Melnyk, Councilor Huntermark, Councilor Barton, Councilor Kozina, Councilor Stoner City Administrator Kevin Laughlin, City Attorney Brian Ballenger and City Engineer Dave Kuhn.

APPROVAL OF MINUTES

8/29/24 Council Meeting Minutes

MOTION: Councilor Stoner made a motion to **Approve**; seconded by Councilor Melnyk. **ROLL CALL:** **Yes:** Council President Fahrbach, Councilor Edwards, Councilor Melnyk, Councilor Huntermark, Councilor Barton, Councilor Kozina, Councilor Stoner; **No:** None; **Abstain:** None
Result: Passed

PRESENTATION

PUBLIC COMMENT

COMMUNICATIONS

COUNCIL COMMITTEE REPORTS

Economic Development Councilor Jim Barton - Meeting on 9/12 @ 6:30PM

Meeting held on 9/12/24 at 6:30pm
Chris from Miller Diversified shared the Master Plan for the Enclave that the Collaborative has been working on and will send it electronically for Council to review.
Glenn Grisdale gave a Progress Report for projects around the City.
Next meeting as needed.

Finance Council President Louis Fahrbach - Meeting on 9/12 @ 6PM

Meeting held on 9/12/24 at 6:00pm
Discussed Resolution 2024-05 Firefighter Pension and received clarification on the City's contributions.
Fire Chief Whitmore presented information for an Ambulance Supplemental Payment Program. Medicaid program collection agency that could bring in \$47,000-\$77,000 of additional revenue through Medicaid participants
Discussed RITA revenue, Still down \$500,000 YTD. Councilor Stoner suggested having a letter sent to 2023 non-filers.
Request to share information on a water recycling system for the Splash pad at the Community Center which will be discussed during the Engineers report.

Recreation Board Councilor Jim Barton

Meeting held on 9/11/24
Talked about doing a signup drive for spring sports
Discussed ideas for new programs for younger kids at the NCC for 2025
Question for the ODNR do we still need to put feeder fish in Stoner Pond?
Received a letter from Adrian Schimmel asking to support his Eagle Scout project. The Rec Board recommended support for this project.
MOTION: Councilor Huntermark made a motion to **donate \$450 to Adrian Schimmel to complete the Eagle Scout project at the NCC**; seconded by Councilor Stoner. **ROLL CALL:** **Yes:** Council President Fahrbach, Councilor Edwards, Councilor Melnyk, Councilor Huntermark, Councilor Barton, Councilor Kozina, Councilor Stoner; **No:** None; **Abstain:** None
Result: Passed
Next meeting November 13 @ 6pm

Safety Councilor Mark Stoner

No Report.

Tree Commission Councilor Michael Melnyk

Meeting held on 9/10/24
Worked on getting ready for the Tree Planting on October 23rd that will take place from 9am - 1pm
600 seedlings with sleeves & everything to put them in place.

September 12, 2024

Going to meet with the urban forester from Findlay before the tree planting to discuss a few items.
Authorized the purchase of 20 trees from a local nursery that will be planted in various areas around the trail to provide shade.

Service Councilor Dean Edwards

No Report.

Parks, Rec & NCC Councilor Pat Huntermark

No Report.

Committee of the Whole Council President Louis Fahrbach

No Report.

CEREMONIAL ITEMS

NEW RESOLUTION

PENDING RESOLUTION

RESOLUTION 2024-05 A RESOLUTION OF THE COUNCIL OF NORTHWOOD TO ESTABLISH A NEW PICK-UP PLAN FOR CONTRIBUTIONS TO THE POLICE & FIRE PENSION FUND; AND DECLARING AN EMERGENCY.

MOTION: Councilor Edwards made a motion to **Suspend the rules**; seconded by Councilor Huntermark. **ROLL CALL: Yes:** Council President Fahrbach, Councilor Edwards, Councilor Melnyk, Councilor Huntermark, Councilor Barton, Councilor Kozina, Councilor Stoner; **No:** None; **Abstain:** None

MOTION: Councilor Edwards made a motion to **Move on Emergency Clause**; seconded by Councilor Huntermark.**ROLL CALL: Yes:** Council President Fahrbach, Councilor Edwards, Councilor Melnyk, Councilor Huntermark, Councilor Barton, Councilor Kozina, Councilor Stoner; **No:** None; **Abstain:** None

MOTION: Councilor Edwards made a motion to **Move on Final Adoption**; seconded by Councilor Huntermark.
ROLL CALL: Yes: Council President Fahrbach, Councilor Edwards, Councilor Melnyk, Councilor Huntermark, Councilor Barton, Councilor Kozina, Councilor Stoner; **No:** None; **Abstain:** None
*Result: Passed * Effective Immediately*

RESOLUTION 2024-06 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

2nd Reading - Edwards

RESOLUTION 2024-07 A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION FOR THE LOCAL PARKS GRANT PROGRAM THROUGH THE WOOD COUNTY PARK DISTRICT AND ACCEPT THE GRANT PROCEEDS IF AWARDED; AND DECLARING AN EMERGENCY.

2nd Reading - Stoner

RESOLUTION 2024-08 A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED; AND DECLARING AN EMERGENCY.

MOTION: Councilor Edwards made a motion to **Suspend the rules**; seconded by Councilor Huntermark. **ROLL CALL: Yes:** Council President Fahrbach, Councilor Edwards, Councilor Melnyk, Councilor Huntermark, Councilor Barton, Councilor Kozina, Councilor Stoner; **No:** None; **Abstain:** None

MOTION: Councilor Edwards made a motion to **Move on Emergency Clause**; seconded by Councilor Huntermark.**ROLL CALL: Yes:** Council President Fahrbach, Councilor Edwards, Councilor Melnyk, Councilor Huntermark, Councilor Barton, Councilor Kozina, Councilor Stoner; **No:** None; **Abstain:** None

MOTION: Councilor Edwards made a motion to **Move on Final Adoption**; seconded by Councilor Huntermark.
ROLL CALL: Yes: Council President Fahrbach, Councilor Edwards, Councilor Melnyk, Councilor Huntermark, Councilor Barton, Councilor Kozina, Councilor Stoner; **No:** None; **Abstain:** None
*Result: Passed * Effective Immediately*

NEW LEGISLATION

ORDINANCE 2024-33 AN ORDINANCE ISSUING A MORATORIUM FOR A PERIOD OF 180 DAYS ON THE REVIEW AND ISSUANCE OF ANY ZONING PERMITS, CERTIFICATES OF OCCUPANCY, OR OTHER LICENSES OR PERMITS FOR STORAGE UNITS, STORAGE FACILITIES, STORAGE PODS AND SELF STORAGE ESTABLISHMENTS WITHIN THE CITY OF NORTHWOOD, OHIO; AND DECLARING AN EMERGENCY.

MOTION: Councilor Stoner made a motion to **Suspend the rules**; seconded by Councilor Edwards. **ROLL CALL: Yes:** Council President Fahrbach, Councilor Edwards, Councilor Melnyk, Councilor Huntermark, Councilor Barton, Councilor Kozina, Councilor Stoner; **No:** None; **Abstain:** None

September 12, 2024

MOTION: Councilor Stoner made a motion to **Move on Emergency Clause**; seconded by Councilor Edwards.**ROLL CALL:** **Yes:** Council President Fahrbach, Councilor Edwards, Councilor Melnyk, Councilor Huntermark, Councilor Barton, Councilor Kozina, Councilor Stoner; **No:** None; **Abstain:** None

MOTION: Councilor Stoner made a motion to **Move on Final Adoption**; seconded by Councilor Edwards.
MOTION: Councilor Stoner made a motion to amend to 365 days; seconded by Councilor Edwards. **.ROLL CALL:** **Yes:** Council President Fahrbach, Councilor Edwards, Councilor Melnyk, Councilor Huntermark, Councilor Barton, Councilor Kozina, Councilor Stoner; **No:** None; **Abstain:** None

MOTION: Councilor Stoner made a motion to **Adopt as Amended**; seconded by Councilor Edwards.**ROLL CALL:** **Yes:** Council President Fahrbach, Councilor Edwards, Councilor Melnyk, Councilor Huntermark, Councilor Barton, Councilor Kozina, Councilor Stoner; **No:** None; **Abstain:** None
Result: Passed * Effective Immediately

PENDING LEGISLATON

MAYOR Mayor Schimmel

Mayor's Report

STREETS/BUILDINGS & GROUNDS:
Recommendation to appoint Bryan Schaller to Streets Foreman.
MOTION: Councilor Huntermark made a motion to **appoint Bryan Schaller to Streets Foreman**; seconded Councilor Melnyk. **ROLL CALL:** **Yes:** Council President Fahrbach, Councilor Edwards, Councilor Melnyk, Councilor Huntermark, Councilor Barton, Councilor Kozina, Councilor Stoner; **No:** None; **Abstain:** None
Result: Passed

Thanked Drew Griffith for coordinating the Court of Appeals hearings that were held in our Council Chambers on 9/11. Students from Northwood High School attended the hearings and it was overall a successful event.

CITY ADMINISTRATOR Kevin Laughlin

Reminder to complete the required fraud training and turn the certificate in to Renee. Ribbon Cutting at new Stoner Pond dock October 4th from 12-1. The splash pad was winterized this week. On September 19th FET will be working on lights at Lemoyne and Woodville and this should be the final step to completing the project.

CITY FINANCIAL REPORT(S)

AUGUST FINANCIAL REPORTS

MOTION: Councilor Kozina made a motion to **acknowledge receipt of the August Financial Reports** ; seconded by Councilor Huntermark. **ROLL CALL:** **Yes:** Council President Fahrbach, Councilor Edwards, Councilor Melnyk, Councilor Huntermark, Councilor Barton, Councilor Kozina, Councilor Stoner; **No:** None; **Abstain:** None **Result: Passed**

LIST OF EXPENDITURES OVER \$10,000

Invoice	Description	Amount
WOODVILLE REALTY LLC	JJ MINI MART WOODVILLE RD FACADE GRANT	\$20,000.00
MEDICAL MUTUAL	EMPLOYEE HEALTH & LIFE INSURANCE PREMIUM	\$65,305.78
	10/1/24-11/1/24	

MOTION: Councilor Stoner made a motion to **Approve the list of Expenditures**; seconded by Councilor Melnyk. **ROLL CALL:** **Yes:** Council President Fahrbach, Councilor Edwards, Councilor Melnyk, Councilor Huntermark, Councilor Barton, Councilor Kozina, Councilor Stoner; **No:** None; **Abstain:** None
Result: Passed

CITY ATTORNEY’S REPORT/DISCUSSION Brian Ballenger

No Report. Councilor Stoner asked about drafting an Ordinance for the Medicare billing agreement discussed in Finance. The City Attorney will review the proposed contract and draft an ordinance.

CITY ENGINEER’S REPORT/DISCUSSION Dave Kuhn

- 1) The Enclave – Contract A: Contractor is working on finishing the remaining punch list items. The final few trees will be planted in September and October. The irrigation system is finally working, and we will have a final walk through on the irrigation next week. They are presently working on getting the pond pump working.
- 2) The Enclave-Lighting: Contractor has finished the lighting punch list. We will make one last walk through on the lighting project.
- 3) Wheeling & Curtice Intersection: The Contractor has finished the intersection except for installing the signs.
- 4) Farnstead Dr.: Bowers Asphalt & Paving, Inc. has completed their portion of the project except for a few cleanup items. NWWSD will be installing meters in October and fixing remaining sidewalks.
- 5) Curtice Rd. over I-280 new curb installation and resurfacing: We are finalizing plans and will submit to ODOT for approval. Once we receive ODOT approval we will bid the project.
- 6) Arbor Dr.: The Shelly Company indicated they will start next week on this project.

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- 7) Dry Creek Aquatic and Riparian Restoration project: This project is located on the Waste Management property and being 100% funded by a US EPA grant. The design-built team has started the design of the improvements.
- 8) Nature Trails Aquatic and Wetland Restoration project. The design-built team is presently working on the design of the improvements. They are working on the 100% plans.
- 9) We have had a meeting with Lathrop on the splash pad ponding issue. They are working on a couple of options and will get back to us. To drill a deep well for the splash pad it will cost a minimum of \$30,000 plus all the softener equipment and chlorination equipment. To install the original recycling system, in which we originally were going to install for the splash pad, would have cost about \$300,000 more at the time. To retrofit the existing system now, since I do not have an estimate yet, but expect the costs to be more around the \$400,000 range.
- 10) The Enclave Ditch Enclosure contracts are presently being signed. We value engineered the design and eliminated two catch basins and reduced the size of one section of storm sewer. This will save about \$13,500 off the contract price.
- 11) The Lemoyne-Woodville intersection traffic signal. Per Tom Huntermark, the contractor, is going to be out next Thursday to switch over to the new controller.

NEW BUSINESS

none.

OLD BUSINESS

none.

PERSONS APPEARING BEFORE THE MAYOR AND COUNCIL

NA

EXECUTIVE SESSION

NA

ADJOURNMENT

07:27 PM

ATTEST:

Council Clerk

APPROVED:

Mayor

2024-09

RESOLUTION 2024-09 A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A RENEWAL CONTRACT FOR WOOD COUNTY PUBLIC DEFENDER SERVICES FOR THE YEAR 2025.

WHEREAS, It is the responsibility of the City of Northwood under the laws of the State of Ohio and United States of America to provide legal counsel to indigent persons charged with a violation of City ordinance only for which the penalty or any possible adjudication includes the potential loss of liberty; and

WHEREAS, Puiblic Wood County, Ohio has adopted an indigent defense program for the County and the Wood County Public Defender represents qualified indigent individuals, and

WHEREAS, Public Defender Commission of Wood County has submitted a cost estimate for the representation of qualified indigent individuals of \$100.00 per case which is in conformity with Fee Schedule for Appointed Counsel established by the Wood County Board of Commissioners. The total estimated cost for the representation of indigent individuals charged with a violation of only a City ordinance for which the penalty or any possible adjudication includes the potential loss of liberty is \$1,000.00 per year.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTHWOOD, WOOD COUNTY, OHIO THAT:

- SECTION 1

The City Administrator is hereby authorized and directed to enter into a Renewal of Agreement with the Public Defenders Commission of Wood County, Ohio, a copy of which is on file with the City Administrator, to provide the representation of qualified indigent individuals charged with a violation of City ordinance for which the penalty or any possible adjudication includes the potential loss of liberty, for a one year term commencing January 1, 2025 to December 31, 2025 with the cost of One Hundred Dollar (\$100.00) per case.
- SECTION 2

It is found and determined that all formal actions of council concerning or relating to the passage of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Northwood and the State of Ohio.
- SECTION 3

This Resolution shall take effect as an emergency measure because it is immediately necessary to maintain compliance with City’s responsibility under the laws of the State of Ohio and United States of America to provide legal counsel to qualified indigent persons charged with a violation of a City ordinance only, and therefore promotes the health, safety and welfare of our citizens.

Vote to suspend rules:

For:___ Against:___ Abstain:___

Vote on emergency clause:

For:___ Against:___ Abstain:___

Vote on final adoption:

For:___ Against:___ Abstain:___

Adopted this

___ day of

_____, 2024 as an emergency measure.

Effective:

_____, 2024

ATTEST:

Clerk of Council

President of Council

APPROVED AS TO FORM:

APPROVED:

City Attorney

Mayor

RESOLUTION 2024-06 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Revenue Estimate for the next succeeding fiscal year commencing **January 1st, 2025** and

WHEREAS, The Budget Commission of Wood County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTHWOOD, WOOD COUNTY, OHIO THAT:

- SECTION 1 By the Council of the City of Northwood, Wood County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted.
- SECTION 2 That there be and is hereby levied on the tax duplicate of said Village/City the rate of each tax necessary to be levied within and without the ten mill limitation as attached hereto as Exhibit A,
- SECTION 3 It is found and determined that all formal actions of council concerning or relating to the passage of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Northwood and the State of Ohio.
- SECTION 4 This Resolution is hereby declared an emergency measure necessary for the immediate preservation of the public peace, safety, and welfare of our citizens. This Resolution shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

Vote to suspend rules: For: ____ Against: ____ Abstain: ____

Vote on emergency clause: For: ____ Against: ____ Abstain: ____

Vote on final adoption: For: ____ Against: ____ Abstain: ____

Adopted this ____ day of _____, 2024 as an emergency measure.

Effective: _____, 2024

ATTEST:

Clerk of Council

President of Council

APPROVED AS TO FORM:

APPROVED:

City Attorney

Mayor

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR**

(Village or City Council)
Revised Code, Secs. 5705.34, .35

The Council of the Village/City of _____ Wood County, Ohio, met in
(regular or special) session on the _____ day of _____, 2024 at the office of
_____ with the following members present:

_____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Revenue Estimate for the next succeeding fiscal year commencing **January 1st, 2025** and

WHEREAS, The Budget Commission of Wood County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the Village/City of _____, Wood County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Village/City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

NORTHWOOD CITY	AMOUNT APPROVED BY BUDGET COMM. INSIDE 10 MILL LIMITATION	AMT TO BE DERIVED FROM LEVIES OUTSIDE 10 MILL LIMITATION	COUNTY AUDITOR EST. OF TAX RATE LEVIED	
			INSIDE 10 MILL LIMIT	OUTSIDE 10 MILL LIMIT
	Column 2	Column 3		
SINKING FUND				
GENERAL FUND	299,093.34		1.60	
BOND RETIREMENT				
LIBRARY FUND				
PERMANENT IMPR.				
STATE				
TOTAL	299,093.34	-	1.60	-

SCHEDULE B

Levies outside 10 mill limitation, Exclusive of Debt Levies

GENERAL FUND	MAXIMUM RATE AUTHORIZED TO BE LEVIED	AUDITOR'S ESTIMATE OF YIELD OF LEVY
Levy Authorized by voters on _____ for not to exceed _____ years.		
Levy Authorized by voters on _____ for not to exceed _____ years.		
Levy Authorized by voters on _____ for not to exceed _____ years.		
Levy Authorized by voters on _____ for not to exceed _____ years.		
Levy Authorized by voters on _____ for not to exceed _____ years.		
Levy Authorized by voters on _____ for not to exceed _____ years.		
Levy Authorized by voters on _____ for not to exceed _____ years.		
Levy Authorized by voters on _____ for not to exceed _____ years.		
Levy Authorized by voters on _____ for not to exceed _____ years.		
Levy Authorized by voters on _____ for not to exceed _____ years.		

and be it further

RESOLVED, That the Clerk of this Board be and he is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

_____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Adopted the _____ day of _____, 20____.

_____ Clerk, City of _____
Wood County, Ohio



ITEM REPORT/DISCUSSION

REGULAR CITY COUNCIL MEETING ON: SEPTEMBER 26, 2024

RESOLUTION 2024-07 A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION FOR THE LOCAL PARKS GRANT PROGRAM THROUGH THE WOOD COUNTY PARK DISTRICT AND ACCEPT THE GRANT PROCEEDS IF AWARDED; AND DECLARING AN EMERGENCY. *3rd Reading*

ADMINISTRATIVE SUMMARY

City will submit for two separate projects: T-Ball Diamond at Brentwood Park and Benches for the newly remodeled Pickleball courts at Central Park. Request adoption as an emergency due to the grant submission deadline of October 18.

ADMINISTRATORS RECOMMENDATION: *Adopt as Emergency*

3rd Reading

2024-07

RESOLUTION 2024-07 A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION FOR THE LOCAL PARKS GRANT PROGRAM THROUGH THE WOOD COUNTY PARK DISTRICT AND ACCEPT THE GRANT PROCEEDS IF AWARDED; AND DECLARING AN EMERGENCY.

WHEREAS, The Wood County Park District has certain grant funds which may be available to the City of Northwood, Ohio, pursuant to an application process; and,

WHEREAS, The City of Northwood believes that the application for the grants would assist the City to improve and expand recreational offerings by defraying the cost to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTHWOOD, WOOD COUNTY, OHIO THAT:

- SECTION 1 That the City Administrator is hereby authorized and directed to execute and file an application for the Local Parks Grant Program through the Wood County Park District and to provide all information and documentation required for the application.
- SECTION 2 That the City authorizes the acceptance of the grant funds if awarded.
- SECTION 2 It is found and determined that all formal actions of council concerning or relating to the passage of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Northwood and the State of Ohio.
- SECTION 3 This Resolution is hereby declared an emergency measure necessary for the immediate preservation of the public peace, safety, and welfare of our citizens. This Resolution shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

Vote to suspend rules:

For: ____ Against: ____ Abstain: ____

Vote on emergency clause:

For: ____ Against: ____ Abstain: ____

Vote on final adoption:

For: ____ Against: ____ Abstain: ____

Adopted this ____ day of _____, 2024 as an emergency measure.
Effective: _____, 2024

ATTEST:

Clerk of Council

President of Council

APPROVED AS TO FORM:

APPROVED:

City Attorney

Mayor



ITEM REPORT/DISCUSSION

REGULAR CITY COUNCIL MEETING ON: SEPTEMBER 26, 2024

ORDINANCE 2024-34 AN ORDINANCE ADOPTING THE NORTHWOOD PLANNING COMMISSION'S RECOMMENDATION TO AMEND CHAPTER 1240 OF THE NORTHWOOD CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY. *1st Reading*

ADMINISTRATIVE SUMMARY

Replacing NCO Section 1240.06 (115) "Medical Marijuana" with a new definition for "Marijuana Facility" to remove the prohibition on medical marijuana and provide a definition the encompasses medical and recreational marijuana cultivator, dispensary, processor, and testing facilities.

ADMINISTRATORS RECOMMENDATION: *1st Reading*

ORDINANCE 2024-34 AN ORDINANCE ADOPTING THE NORTHWOOD PLANNING COMMISSION'S RECOMMENDATION TO AMEND CHAPTER 1240 OF THE NORTHWOOD CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY.

WHEREAS, The Northwood Planning Commission has recommended amending Chapter 1240, General Provisions, Interpretation and Definitions, of the Northwood Codified Ordinances.

WHEREAS, A Public Hearing was held by the Northwood City Council regarding this recommendation on Thursday, September 26, 2024 at 7:00PM in the Council Chambers of the Northwood Municipal Building.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTHWOOD, WOOD COUNTY, OHIO THAT:

SECTION 1 That Chapter 1240.06, of the Northwood Codified Ordinances, titled General Provisions, Interpretation and Definitions, be amended to read as follows:

1240.06 DEFINITIONS

(115) ~~“Medical marijuana” has the same meaning as provided in R.C. § 3796.01(A)(2) which is marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose.~~

~~— A. The cultivation, processing, or retail dispensing of medical marijuana, even under a license issued under R.C. Chapter 3796, is prohibited within the City of Northwood.~~

“Marijuana Facility” means any entity that has been issued a certificate or license by the State of Ohio to operate as a cultivator, dispensary, processor or testing facility of medical marijuana or adult use cannabis (recreational marijuana).

A. “Cultivator” means an entity that has been issued a certificate of operation by the State of Ohio to grow, harvest, package and transport marijuana.

B. “Dispensary” means an entity licensed by the state of Ohio to sell marijuana products to eligible customers.

C. “Processor” means an entity that has been issued a certificate of operation by the State of Ohio to manufacture marijuana products.

D. “Testing Laboratory” means an independent laboratory that has been issued a certificate of operation by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis.

SECTION 2. That all other provisions of Chapter 1240 of the Northwood Codified Ordinance not hereinbefore amended or modified shall remain in full force and effect.

SECTION 3. It is found and determined that all formal actions of council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Northwood and the State of Ohio.

SECTION 4. This Ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public peace, safety, and welfare of our citizens. This Ordinance shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

Vote to suspend rules:	For:_____ Against:_____ Abstain:_____
Vote on emergency clause:	For:_____ Against:_____ Abstain:_____
Vote on final adoption:	For:_____ Against:_____ Abstain:_____

Adopted this _____ day of _____, 2024 as an emergency measure.

Effective: _____, 2024

ATTEST:

Clerk of Council

President of Council

APPROVED AS TO FORM:

APPROVED:

City Attorney

Mayor



ITEM REPORT/DISCUSSION

REGULAR CITY COUNCIL MEETING ON: SEPTEMBER 26, 2024

ORDINANCE 2024-35 AN ORDINANCE ADOPTING THE NORTHWOOD PLANNING COMMISSION'S RECOMMENDATION TO AMEND CHAPTER 1250 OF THE NORTHWOOD CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY. *1st Reading*

ADMINISTRATIVE SUMMARY

Deleting NCO Section 1250.07(d) which lists the cultivation, processing, or retail dispensing of medical marijuana as a prohibited use. The new regulations will address both medical and recreational marijuana (adult use cannabis) uses.

ADMINISTRATORS RECOMMENDATION: *1st Reading*

ORDINANCE 2024-35 AN ORDINANCE ADOPTING THE NORTHWOOD PLANNING COMMISSION'S RECOMMENDATION TO AMEND CHAPTER 1250 OF THE NORTHWOOD CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY.

WHEREAS, The Northwood Planning Commission has recommended amending Chapter 1250, Provisions Applicable to All Districts, of the Northwood Codified Ordinances.

WHEREAS, A Public Hearing was held by the Northwood City Council regarding this recommendation on Thursday, September 26, 2024 at 7:00PM in the Council Chambers of the Northwood Municipal Building.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTHWOOD, WOOD COUNTY, OHIO THAT:

SECTION 1 That Chapter 1250, of the Northwood Codified Ordinances, titled Provisions Applicable to All Districts, be amended to read as follows:
1250.07 PROHIBITED USES
The following uses of land are prohibited in all districts:
(a) Industrial waste lagoons; and
(b) Application of waste sludge on any land; and
(c) Junk yards as per Section 1282.07; and
~~—(d) The cultivation, processing, or retail dispensing of medical marijuana.~~

SECTION 2. That all other provisions of Chapter 1250 of the Northwood Codified Ordinance not hereinbefore amended or modified shall remain in full force and effect.

SECTION 3. It is found and determined that all formal actions of council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Northwood and the State of Ohio.

SECTION 4. This Ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public peace, safety, and welfare of our citizens. This Ordinance shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

Vote to suspend rules:	For:_____ Against:_____ Abstain:_____
Vote on emergency clause:	For:_____ Against:_____ Abstain:_____
Vote on final adoption:	For:_____ Against:_____ Abstain:_____

Adopted this _____ day of _____, 2024 as an emergency measure.

Effective: _____, 2024

ATTEST:

Clerk of Council

President of Council

APPROVED AS TO FORM:

City Attorney

APPROVED:

Mayor



ITEM REPORT/DISCUSSION

REGULAR CITY COUNCIL MEETING ON: SEPTEMBER 26, 2024

ORDINANCE 2024-36 AN ORDINANCE ADOPTING THE NORTHWOOD PLANNING COMMISSION'S RECOMMENDATION TO AMEND CHAPTER 1274 OF THE NORTHWOOD CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY. *1st Reading*

ADMINISTRATIVE SUMMARY

Adding "Marijuana Facility-Dispensary" to the list of **conditional** uses in the "C"-Commercial (N.C.O. 1274.02(b)) Zoning District. Make it a prohibited use in the "CBD"- Central Business District (N.C.O. 1275.02). As a conditional use, dispensaries would be required to go through a public hearing process with the Planning Commission in order to gain approval. Per N.C.O. 1244.06 the Planning Commission can include special conditions and requirements to provide for the health, safety and welfare of the surrounding area. Approval would also be subject to meeting conditions included in the zoning ordinance specifically for Marijuana Facilities, such as spacing requirements for protected uses (schools, parks, daycares, and churches).

ADMINISTRATORS RECOMMENDATION: *1st Reading*

ORDINANCE 2024-36 AN ORDINANCE ADOPTING THE NORTHWOOD PLANNING COMMISSION'S RECOMMENDATION TO AMEND CHAPTER 1274 OF THE NORTHWOOD CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY.

WHEREAS, The Northwood Planning Commission has recommended amending Chapter 1274, "C" Commerical District, of the Northwood Codified Ordinances.

WHEREAS, A Public Hearing was held by the Northwood City Council regarding this recommendation on Thursday, September 26, 2024 at 7:00PM in the Council Chambers of the Northwood Municipal Building.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTHWOOD, WOOD COUNTY, OHIO THAT:

SECTION 1 That Chapter 1274, of the Northwood Codified Ordinances, titled "C" Commercial District, be amended to read as follows:

1274.02(b) PRINCIPAL AND CONDITIONAL USES PERMITTED

(b) Conditionally permitted uses must be approved by the Planning Commission according to Sections 1244.06 and 1244.07 . Conditional uses in this District shall be as follows:

- (1) Clubs and meeting halls;
- (2) Motels;
- (3) Car washes and/or gasoline filling stations or combinations thereof, where pump islands would be within fifty feet from the boundary of a zoning district that allows dwellings;
- (4) Bars, cocktail lounges or taverns; and
- (5) Nursing or convalescent or assisted living center.
- (6) Multifamily residential that is adjacent to an existing residential district. Such conditional use shall be in accordance with the City's "Comprehensive Master Plan" and "Future Land Use" Map. Density standards shall be consistent with Section 1268.04 and floor area shall not be less than 900 square feet.
- (7) On-premises electronic message centers, according to Section 1282.03(j)(12).
- (8) Marijuana Facility-Dispensary, subject to standards in Section 1282.12

SECTION 2. That all other provisions of Chapter 1274 of the Northwood Codified Ordinance not hereinbefore amended or modified shall remain in full force and effect.

SECTION 3. It is found and determined that all formal actions of council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Northwood and the State of Ohio.

SECTION 4. This Ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public peace, safety, and welfare of our citizens. This Ordinance shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

Vote to suspend rules:

For:____ Against:____ Abstain:____

Vote on emergency clause:

For:____ Against:____ Abstain:____

Vote on final adoption:

For:____ Against:____ Abstain:____

Adopted this ____ day of _____, 2024 as an emergency measure.

Effective: _____, 2024

ATTEST:

Clerk of Council

President of Council

APPROVED AS TO FORM:

APPROVED:

City Attorney

Mayor



ITEM REPORT/DISCUSSION

REGULAR CITY COUNCIL MEETING ON: SEPTEMBER 26, 2024

ORDINANCE 2024-37 AN ORDINANCE ADOPTING THE NORTHWOOD PLANNING COMMISSION'S RECOMMENDATION TO AMEND CHAPTER 1276 OF THE NORTHWOOD CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY. *1st Reading*

ADMINISTRATIVE SUMMARY

Adding "Marijuana Facility-Cultivator", "Marijuana Facility-Processor", and "Marijuana Facility-Testing Laboratory" to the list of permitted uses in the "M-1" Light Industrial District (N.C.O. 1276.02), which would also make them a permitted use in the "M-2" Heavy Industrial District per N.C.O. 1278.02(a).

ADMINISTRATORS RECOMMENDATION: *1st Reading*

**ORDINANCE 2024-37 AN ORDINANCE ADOPTING THE NORTHWOOD
PLANNING COMMISSION'S RECOMMENDATION TO AMEND CHAPTER
1276 OF THE NORTHWOOD CODIFIED ORDINANCES; AND DECLARING
AN EMERGENCY.**

WHEREAS, The Northwood Planning Commission has recommended amending Chapter 1276, M-1 Light Industrial District, of the Northwood Codified Ordinances.

WHEREAS, A Public Hearing was held by the Northwood City Council regarding this recommendation on Thursday, September 26, 2024 at 7:00PM in the Council Chambers of the Northwood Municipal Building.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTHWOOD,
WOOD COUNTY, OHIO THAT:**

SECTION 1 That Chapter 1276, of the Northwood Codified Ordinances, titled M-1 Light Industrial District, be amended to read as follows:

1276.02(a)(1) PRINCIPAL AND CONDITIONAL USES PERMITTED

(a) Principally permitted uses in this District shall be as follows:

(1) The following uses, provided that such uses do not create any danger to health and safety in the surrounding area and do not create any offensive noise, vibration, smoke, dust, glare, odors or other objectionable influences:

A. Light manufacturing and assembly of the following:

1. Canvas products, such as tents and awnings;
2. Glass and optical products from previously manufactured glass;
3. Jewelry, clocks and watches;
4. Scientific and other precision instruments;
5. Sporting goods;
6. Toys and novelties;
7. Food products, including canning;
8. Furniture; and
9. Computer and electronic equipment.

B. Assembly of the following:

1. Firearms;
2. Plastic products;
3. Small wood and metal products, such as radios, lighting fixtures and television equipment; and Venetian blinds, window shades and awnings; and
4. Automobile parts.

C. The following services:

1. Bottling or canning plants;
2. Dry cleaning plants;
3. Building/construction trades repair and service shops;
4. Laboratories, including research, experimental and testing laboratories;
5. Offices;
6. Pharmaceutical products, compounding only;
7. Repair and service shops; and
8. Sign display and decorating shops;

D. Agriculture and storage of agricultural products;

E. Accessory storage related to the above permitted uses and accessory uses, as regulated in Section 1276.10;

1. Canopies. Height shall not exceed structure attached to. In cases of freestanding canopies, district setbacks shall apply and height shall not exceed 35 feet.

- F. Signs, according to the provisions of Section 1282.03;
 - G. Other activities and manufacturing or assembly plants having performance characteristics similar to those listed in this section; and
 - H. Training facilities and educational centers relative to the current permitted uses.
- (b) Conditionally permitted uses must be approved by the Planning Commission according to Sections 1244.06 and 1244.07. Conditional uses in this District shall be as follows:
- (1) Natural resource development, such as sand or gravel extraction or top soil removal;
 - (2) Truck terminals; and
 - (3) All service facilities, including wireless transmission towers (cellular towers), subject to the following conditions:
 - A. No service facilities, including wireless transmission towers, shall be constructed nearer than 150 feet to a Residential District;
 - B. Any tower abandoned or not in use for six months shall be removed by the lessee, the land owner or the entity using said tower, immediately upon the request of the Zoning Inspector.
 - C. All other conditions recommended by the Planning Commission pursuant to Sections 1244.06 and 1244.07.
 - (4) Crematories. No crematories shall be established within a radius of 2,500 feet of any Residential and Public Owned Districts.
 - (5) Marijuana Facility-Cultivator, Marijuana Facility-Processor, Marijuana Facility-Testing Laboratory (subject also to standards in Section 1282.12)

SECTION 2. That all other provisions of Chapter 1276 of the Northwood Codified Ordinance not hereinbefore amended or modified shall remain in full force and effect.

SECTION 3. It is found and determined that all formal actions of council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Northwood and the State of Ohio.

SECTION 4. This Ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public peace, safety, and welfare of our citizens. This Ordinance shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

Vote to suspend rules:	For:_____ Against:_____ Abstain:_____
Vote on emergency clause:	For:_____ Against:_____ Abstain:_____
Vote on final adoption:	For:_____ Against:_____ Abstain:_____

Adopted this _____ day of _____, 2024 as an emergency measure.

Effective: _____, 2024

ATTEST:

Clerk of Council

President of Council

APPROVED AS TO FORM:

APPROVED:

City Attorney

Mayor



ITEM REPORT/DISCUSSION

REGULAR CITY COUNCIL MEETING ON: SEPTEMBER 26, 2024

ORDINANCE 2024-38 AN ORDINANCE ADOPTING THE NORTHWOOD PLANNING COMMISSION'S RECOMMENDATION TO AMEND CHAPTER 1282 OF THE NORTHWOOD CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY. *1st Reading*

ADMINISTRATIVE SUMMARY

Adding NCO 1282.12 (under Supplementary Regulations) with location (spacing) and operational requirements for Marijuana Facilities.

ADMINISTRATORS RECOMMENDATION: *1st Reading*

ORDINANCE 2024-38 AN ORDINANCE ADOPTING THE NORTHWOOD PLANNING COMMISSION'S RECOMMENDATION TO AMEND CHAPTER 1282 OF THE NORTHWOOD CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY.

WHEREAS, The Northwood Planning Commission has recommended amending Chapter 1282, Supplementary Regulations, of the Northwood Codified Ordinances.

WHEREAS, A Public Hearing was held by the Northwood City Council regarding this recommendation on Thursday, September 26, 2024 at 7:00PM in the Council Chambers of the Northwood Municipal Building.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTHWOOD, WOOD COUNTY, OHIO THAT:

SECTION 1 That Chapter 1282, of the Northwood Codified Ordinances, titled Supplementary Regulations, be amended to include the following:
1282.12 SUPPLEMENTARY REGULATIONS - MARIJUANA FACILITIES
The following standards apply to Marijuana Facilities as defined in NCO 1240.06 (115)

- (a) A Marijuana Facility shall not be located within 500 feet of any school (K-12), pre-school, public park, public library, church or other religious facility, child-care facility or other use established for the activities of minors.
- (b) For Dispensaries:
 - 1. A Dispensary shall not be located within 1,000 feet of another Dispensary; and
 - 2. The hours of operation of a Dispensary shall be limited to 8 a.m. to 8 p.m., or other hours consistent with a Marijuana Dispensary permit issued by the State of Ohio or otherwise determined as a condition of approval.

SECTION 2. That all other provisions of Chapter 1282 of the Northwood Codified Ordinance not hereinbefore amended or modified shall remain in full force and effect.

SECTION 3. It is found and determined that all formal actions of council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Northwood and the State of Ohio.

SECTION 4. This Ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public peace, safety, and welfare of our citizens. This Ordinance shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

Vote to suspend rules:	For:_____ Against:_____ Abstain:_____
Vote on emergency clause:	For:_____ Against:_____ Abstain:_____
Vote on final adoption:	For:_____ Against:_____ Abstain:_____

2024-38

Adopted this ____ day of _____, 2024 as an emergency measure.

Effective: _____, 2024

ATTEST:

Clerk of Council

President of Council

APPROVED AS TO FORM:

APPROVED:

City Attorney

Mayor



ITEM REPORT/DISCUSSION

REGULAR CITY COUNCIL MEETING ON: SEPTEMBER 26, 2024

ORDINANCE 2024-39 AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH PUBLIC CONSULTING GROUP, LLC FOR THE ESTABLISHMENT OF ALTERNATIVE PAYMENT METHOLOGIES FOR PROVIDERS; AND DECLARING AN EMERGENCY. *1st Reading*

ADMINISTRATIVE SUMMARY

Agreement must be signed by October 1st to be eligible to receive services for 2025.

ADMINISTRATORS RECOMMENDATION: *1st Reading*

Suspend Rules & Apdot as Emergency

ORDINANCE 2024-39 AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH PUBLIC CONSULTING GROUP, LLC FOR THE ESTABLISHMENT OF ALTERNATIVE PAYMENT METHOLOGIES FOR PROVIDERS; AND DECLARING AN EMERGENCY.

WHEREAS, The Centers for Medicare and Medicaid Services (CMS) allows states to establish alternative payment methodologies for certain classes of providers, including ambulance providers, and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTHWOOD, WOOD COUNTY, OHIO THAT:

- SECTION 1

That the City Administrator of the City of Northwood is hereby authorized to enter into an Agreement with Public Consulting Group, LLC for the establishment of alternative payment methodologies for certain classes of providers, including ambulance providers, attached hereto as **Exhibit A** and is authorized to make a ten percent (10%) deposit for said purchase.
- SECTION 2

It is found and determined that all formal actions of council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Northwood and the State of Ohio.
- SECTION 3

That this Ordinance constitutes an emergency measure because the establishment of alternative payment methodologies for certain classes of providers, including ambulance providers, is necessary for the preservation of the public peace, safety, and welfare of our citizens. This ordinance shall be in full force and effect immediately after its passage by the Mayor.

Vote to suspend rules:

For:___ Against:___ Abstain:___

Vote on emergency clause:

For:___ Against:___ Abstain:___

Vote on final adoption:

For:___ Against:___ Abstain:___

Adopted this ___ day of _____, 2024 as an emergency measure.

Effective: _____, 2024

ATTEST:

Clerk of Council

President of Council

APPROVED AS TO FORM:

APPROVED:

City Attorney

Mayor



ITEM REPORT/DISCUSSION

REGULAR CITY COUNCIL MEETING ON: SEPTEMBER 26, 2024

ORDINANCE 2024-40 AN ORDINANCE REPEALING NORTHWOOD ORDINANCE 2023-39; AND DECLARING AN EMERGENCY. *1st Reading*

ADMINISTRATIVE SUMMARY

After reviewing the Ordinances and Resolutions submitted to American Legal Publishing for codification, it was found and determined there was an oversight on the previously adopted Ordinance 2023-39. Ord. 2023-39 called for the addition of a new section 434.09 regarding distracted driving/texting. However, there is already a section 434.09 in the code related to the operation of mini-trucks and low-speed vehicles and section 432.42, regarding the prohibition of texting while driving, which is based on ORC 4511.204.

Ordinance 2024-40 repeals Ordinance 2023-39 while all provisions of NCO Section 434.09, titled Operation Restricted for Mini-Truck and Low-Speed, Under-Speed, or Utility Vehicles remain unchanged and in full force and effect.

ADMINISTRATORS RECOMMENDATION: *1st Reading*

2024-40

ORDINANCE 2024-40 AN ORDINANCE REPEALING NORTHWOOD
ORDINANCE 2023-39; AND DECLARING AN EMERGENCY.

WHEREAS, The Northwood City Council adopted Ordinance 2023-39, adopting the Ohio Distracted Driving Law designated as Northwood Codified Ordinance 434.09 titled Distracted Driving/Driving While Texting; and

WHEREAS, The Northwood City Council also adopted Ordinance 2023-52, which provided for the editing and inclusion of certain Ordinances and Resolutions (2022-01 - 2023-28) as parts of the various component codes of the codified ordinances; provided for the adoption of new matter in the updated and revised codified ordinances; and repealed ordinances in conflict; and

WHEREAS, Ordinance 2023-39 was not included in that codification, however new section 434.42 titled Texting While Driving was included in the update and matched the language in Ordinance 2023-39.

WHEREAS, Further review of the Northwood Codified Ordinances revealed section 434.09 already existed in relation to the operation of Mini-Trucks and Low-Speed Vehicles.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTHWOOD, WOOD COUNTY, OHIO THAT:

- SECTION 1

That Ordinance 2023-39 is hereby repealed.
- SECTION 2

That all provisions of NCO Section 434.09, titled Operation Restricted for Mini-Truck and Low-Speed, Under-Speed, or Utility Vehicles shall remain in full force and effect.
- SECTION 3

It is found and determined that all formal actions of council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Northwood and the State of Ohio.
- SECTION 4

This Ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public peace, safety, and welfare of our citizens. This Ordinance shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

Vote to suspend rules:

For:___ Against:___ Abstain:___

Vote on emergency clause:

For:___ Against:___ Abstain:___

Vote on final adoption:

For:___ Against:___ Abstain:___

Adopted this ___ day of _____, 2024 as an emergency measure.

Effective: _____, 2024

ATTEST:

Clerk of Council

President of Council

APPROVED AS TO FORM:

APPROVED:

City Attorney

Mayor

RECORD OF ORDINANCES

Ordinance No. 2023-39

Passed May 11, 2023

ORDINANCE 2023-39

AN ORDINANCE ADOPTING THE OHIO DISTRACTED DRIVING LAW; AND DECLARING AN EMERGENCY.

WHEREAS, Effective April 4, 2023, Senate Bill 288 was signed into law and making the use of cell phones and other electronic communications devise while driving as a primary traffic offense for all drivers and allows law enforcement to immediately pull over a distracted driver upon witnessing a violation; and

WHEREAS, the City of Northwood has determined that this law shall be adopted into the Northwood Codified Ordinance, designated as Northwood Codified Ordinance 434.09;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF NORTHWOOD, WOOD COUNTY, OHIO, THAT

Section 1. That Northwood Codified Ordinance 434.09 titled Distracted Driving/ Driving While Texting is Established and Adopted, and shall read as follows:

434.09 DISTRACTED DRIVING | DRIVING WHILE TEXTING

- (A) No person shall operate a motor vehicle, trackless trolley, or streetcar on any street, highway, or property open to the public for vehicular traffic while using, holding, or physically supporting with any part of the person's body an electronic wireless communications device.
- (B) Division (A) of this section does not apply to any of the following:
- (1) A person using an electronic wireless communications device to make contact, for emergency purposes, with a law enforcement agency, hospital or health care provider, fire department, or other similar emergency agency or entity;
 - (2) A person driving a public safety vehicle while using an electronic wireless communications device in the course of the person's duties;
 - (3) A person using an electronic wireless communications device when the person's motor vehicle is in a stationary position and is outside a lane of travel, at a traffic control signal that is currently directing traffic to stop, or parked on a road or highway due to an emergency or road closure;
 - (4) A person using and holding an electronic wireless communications device directly near the person's ear for the purpose of making, receiving, or conducting a telephone call, provided that the person does not manually enter letters, numbers, or symbols into the device;
 - (5) A person receiving wireless messages on an electronic wireless communications device regarding the operation or navigation of a motor vehicle; safety-related information, including emergency, traffic, or weather alerts; or data used primarily by the motor vehicle, provided that the person does not hold or support the device with any part of the person's body;
 - (6) A person using the speaker phone function of the electronic wireless communications device, provided that the person does not hold or support the device with any part of the person's body;
 - (7) A person using an electronic wireless communications device for navigation purposes, provided that the person does not do either of the following during the use:
 - (a) Manually enter letters, numbers, or symbols into the device;
 - (b) Hold or support the device with any part of the person's body ;
 - (8) A person using a feature or function of the electronic wireless communications device with a single touch or single swipe, provided that the person does not do either of the following during the use:
 - (a) Manually enter letters, numbers, or symbols into the device;
 - (b) Hold or support the device with any part of the person's body ;
 - (9) A person operating a commercial truck while using a mobile data terminal that transmits and receives data;
 - (10) A person operating a utility service vehicle or a vehicle for or on behalf of a utility, if the person is acting in response to an emergency, power outage, or circumstance that affects the health or safety of individuals;
 - (11) A person using an electronic wireless communications device in conjunction with a voice-operated or hands-free feature or function of the vehicle or of the device without the use of either hand except to activate, deactivate, or initiate the feature or function with a single touch or swipe, provided the person does not hold or support the device with any part of the person's body;
 - (12) A person using technology that physically or electronically integrates the device into the motor vehicle, provided that the person does not do either of the following during the use:

RECORD OF ORDINANCES

Ordinance No. 2023-39 Passed May 11, 2023

- (a) Manually enter letters, numbers, or symbols into the device;
- (b) Hold or support the device with any part of the person's body.
- (13) A person storing an electronic wireless communications device in a holster, harness, or article of clothing on the person's body.
- (C)(1) On January 31 of each year, the department of public safety shall issue a report to the general assembly that specifies the number of citations issued for violations of this section during the previous calendar year.
- (2) If a law enforcement officer issues an offender a ticket, citation, or summons for a violation of division (A) of this section, the officer shall do both of the following:
 - (a) Report the issuance of the ticket, citation, or summons to the officer's law enforcement agency;
 - (b) Ensure that such report indicates the offender's race.
- (D)(1) Whoever violates division (A) of this section is guilty of operating a motor vehicle while using an electronic wireless communication device, an unclassified misdemeanor.
 - (a) Except as provided in divisions (D)(1)(b), (c), (d), and (2) of this section, the court shall impose upon the offender a fine of not more than one hundred fifty dollars.
 - (b) If, within two years of the violation, the offender has been convicted of or pleaded guilty to one prior violation of this section or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than two hundred fifty dollars.
 - (c) If, within two years of the violation, the offender has been convicted of or pleaded guilty to two or more prior violations of this section or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than five hundred dollars. The court also may impose a suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege for ninety days.
 - (d) Notwithstanding divisions (D)(1)(a) to (c) of this section, if the offender was operating the motor vehicle at the time of the violation in a construction zone where a sign was posted in accordance with section 4511.98 of the Revised Code, the court, in addition to all other penalties provided by law, shall impose upon the offender a fine of two times the amount imposed for the violation under division (D)(1)(a), (b), or (c) of this section, as applicable.
- (2) In lieu of payment of the fine of one hundred fifty dollars under division (D)(1)(a) of this section and the assessment of points under division (D)(4) of this section, the offender instead may elect to attend the distracted driving safety course, as described in section 4511.991 of the Revised Code. If the offender attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully completed the course. The offender shall not be required to pay the fine and shall not have the points assessed against that offender's driver's license if the offender submits the written evidence to the court.
- (3) The court may impose any other penalty authorized under sections 2929.21 to 2929.28 of the Revised Code. However, the court shall not impose a fine or a suspension not otherwise specified in division (D)(1) of this section. The court also shall not impose a jail term or community residential sanction.
- (4) Except as provided in division (D)(2) of this section, points shall be assessed for a violation of division (A) of this section in accordance with section 4510.036 of the Revised Code.
- (5) The offense established under this section is a strict liability offense and section 2901.20 of the Revised Code does not apply. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.
- (E) This section shall not be construed as invalidating, preempting, or superseding a substantially equivalent municipal ordinance that prescribes penalties for violations of that ordinance that are greater than the penalties prescribed in this section for violations of this section.
- (F) A prosecution for an offense in violation of this section does not preclude a prosecution for an offense in violation of a substantially equivalent municipal ordinance based on the same conduct. However, the two offenses are allied offenses of similar import under section 2941.25 of the Revised Code.

RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30043

Ordinance No. 2023-39

Passed May 11, 2023

(G)(1) A law enforcement officer does not have probable cause and shall not stop the operator of a motor vehicle for purposes of enforcing this section unless the officer visually observes the operator using, holding, or physically supporting with any part of the person's body the electronic wireless communications device.
(2) A law enforcement officer who stops the operator of a motor vehicle, trackless trolley, or streetcar for a violation of division (A) of this section shall inform the operator that the operator may decline a search of the operator's electronic wireless communications device. The officer shall not do any of the following:
(a) Access the device without a warrant, unless the operator voluntarily and unequivocally gives consent for the officer to access the device;
(b) Confiscate the device while awaiting the issuance of a warrant to access the device;
(c) Obtain consent from the operator to access the device through coercion or any other improper means. Any consent by the operator to access the device shall be voluntary and unequivocal before the officer may access the device without a warrant.
(H) As used in this section:
(1) "Electronic wireless communications device" includes any of the following:
(a) A wireless telephone;
(b) A text-messaging device;
(c) A personal digital assistant;
(d) A computer, including a laptop computer and a computer tablet;
(e) Any device capable of displaying a video, movie, broadcast television image, or visual image;
(f) Any other substantially similar wireless device that is designed or used to communicate text, initiate or receive communication, or exchange information or data.
An "electronic wireless communications device" does not include a two-way radio transmitter or receiver used by a person who is licensed by the federal communications commission to participate in the amateur radio service.
(2) "Voice-operated or hands-free feature or function" means a feature or function that allows a person to use an electronic wireless communications device without the use of either hand, except to activate, deactivate, or initiate the feature or function with a single touch or single swipe.
(3) "Utility" means an entity specified in division (A), (C), (D), (E), or (G) of section 4905.03 of the Revised Code.
(4) "Utility service vehicle" means a vehicle owned or operated by a utility.

Section 2. It is found and determined that all formal actions of council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Northwood and the State of Ohio.

Section 3. This ordinance shall take effect as an emergency measure because establishing enforcement and penalty for distracted driving occurring in the City of Northwood is necessary to protect the health, safety and welfare of our citizens.

Vote to suspend rules: For: - Against: - Abstain: -
Vote on emergency clause: For: - Against: - Abstain: -
Vote on final adoption: For: (0) Against: - Abstain: -

Adopted this 11 day of May, 2023 as an emergency measure.
Effective: June 11, 2023

ATTEST:

Clerk of Council

President of Council

APPROVED AS TO FORM:

City Attorney

APPROVED:

Mayor

* Councilor Spence absent from 5/11/23 meeting.