



REGULAR CITY COUNCIL MEETING

Thursday, October 24, 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:

- October 10, 2024 Regular City Council Meeting Minutes

PRESENTATION:

PUBLIC COMMENT:

COMMUNICATIONS:

COUNCIL COMMITTEE REPORTS:

Economic Development ~ *Councilor Jim Barton*

Finance ~ *Council President Louis Fahrbach ~ Next Meeting: November 7Th @ 6Pm*

Recreation Board ~ *Councilor Jim Barton ~ Next Meeting: November 13Th @ 6Pm*

Safety ~ *Councilor Mark Stoner*

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 2024-11 A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR THE LAND AND WATER CONSERVATION FUNDS THROUGH THE OHIO DEPARTMENT OF NATURAL RESOURCES AND AGREE TO OBLIGATE THE NECESSARY FUNDS TO COMPLETE THE PROJECT; AND DECLARING AN EMERGENCY. *1st Reading.*

PENDING 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. *3rd Reading.*

NEW LEGISLATION:

PENDING LEGISLATION:

ORDINANCE 2024-41 AN ORDINANCE AMENDING ORDINANCE 2024-18 PROVIDING FOR THE COMPENSATION OF NON-UNION PERSONNEL OF THE CITY OF NORTHWOOD; AND DECLARING AN EMERGENCY. *2nd 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. *3rd 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. *3rd 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. *3rd 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. *3rd 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. *3rd Reading.*

ORDINANCE 2024-40 AN ORDINANCE REPEALING NORTHWOOD ORDINANCE 2023-39; AND DECLARING AN EMERGENCY. *3rd Reading.*

MAYOR: *Mayor Schimmel*

CITY ADMINISTRATOR: *Kevin Laughlin*

CITY FINANCIAL REPORT(S)

LIST OF EXPENDITURES OVER \$10,000

<u>Invoice</u>	<u>Description</u>	<u>Amount</u>
MEDICAL MUTUAL	HEALTH & LIFE INSURANCE PREMIUM 11/1/24-12/1/24	\$77,149.92
BIO-CARE INC	FIRE DEPT. ANNUAL PHYSICALS	\$14,815.00

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:

October 10, 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 07:00 PM on October 10, 2024 in the Council Chambers and via Live Stream.

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

September 26, 2024 Public Hearing Meeting Minutes

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

September 26, 2024 Council Meeting Minutes

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

PRESENTATION

Proclamation - Fire Prevention Week

PUBLIC COMMENT

COMMUNICATIONS

COUNCIL COMMITTEE REPORTS

Economic Development Councilor Jim Barton

No Report.

Finance Council President Louis Fahrbach

No Report. Next meeting scheduled for November 7th at 6PM for budget review.

Recreation Board Councilor Jim Barton

No Report.

Safety Councilor Mark Stoner

No Report.

Tree Commission Councilor Michael Melnyk

Tree planting scheudled for October 23rd at Brentwood Park from 9am - 1pm. Volunteers needed.

Service Councilor Dean Edwards

No Report.

Parks, Rec & NCC Councilor Pat Huntermark

No Report.

Committee of the Whole Council President Louis Fahrbach ~ Meeting on 10/10 @ 6:30PM

Meeting held on October 10 at 6:30pm
Discussed the preliminary budget for 2025 and the 2024 revenue shortfalls and potential solutions for that. Follow up in response to that will be a finance committee meeting, November 7th.

CEREMONIAL ITEMS

NEW RESOLUTION

October 10, 2024

RESOLUTION 2024-10 A RESOLUTION TO APPROVE THE WOOD COUNTY FINAL PLAN FOR IMPLEMENTING AND OPERATING COUNTYWIDE 9-1-1 SYSTEM; AND DECLARING AN EMERGENCY.

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

PENDING 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.

2nd Reading - Edwards

NEW LEGISLATION

ORDINANCE 2024-41 AN ORDINANCE AMENDING ORDINANCE 2024-18 PROVIDING FOR THE COMPENSATION OF NON-UNION PERSONNEL OF THE CITY OF NORTHWOOD; AND DECLARING AN EMERGENCY.

1st Reading - Kozina

PENDING LEGISLATON

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.

2nd Reading - Kozina

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.

2nd Reading - Kozina

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.

2nd Reading - Kozina

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.

2nd Reading - Kozina

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.

2nd Reading - Kozina

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

2nd Reading - Kozina

MAYOR Mayor Schimmel

Mayor's Report

FIRE:
Chief Whitmore presented the recommendation to hire Carson Gutekunst as a recruit firefighter pending completion of medical physical and physical ability assessment.

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MOTION: Councilor Stoner made a motion to **appoint Carson Gutekunst as a recruit firefighter pending completion of medical physical and physical ability assessment**; seconded by Councilor Kozina. **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 ADMINISTRATOR Kevin Laughlin

City Administrator's Report

Intersection of Bradner Road at SR 579 - Council Safety Concerns	As of October 2, 2024 there have been 3 accidents in the past five years. 2 non-injury, 1 injury - All were stop sign violations
	Administration recommendations: - Place flashing and more reflective signs at the north side of intersection (City side) - Begin conversation with Lake Township to do the same on the south side of intersection (Township side) - Approach ODOT about reducing speed limit on SR 579/Williston Road to 45 MPH from Fostoria Road to SR 51/Woodville Road (Recommendation of Police Chief Zahradnik
Reminders	Fall Festival this Saturday, October 12 from 11:00 AM to 10:00 PM
Discussion	Administraion and Recreation Department have met with iHeart media regarding marketing and promotion at the NCC. Ads coming to the radio soon.

CITY FINANCIAL REPORT(S)

MOTION: Councilor Barton made a motion to **acknowledge receipt of** ; 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

SEPTEMBER FINANCIAL EXPEDITURES REPORT

September bank reconciliation

September month end financials

LIST OF EXPENDITURES OVER \$10,000

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

Invoice	Description	Amount
FET CONSTRUCTION SERVICES	WOODVILLE & LEMOYNE INTERSECTION	\$12,804.48
GRIFFIN PAVEMENT STRIPING	CITY WIDE ROAD STRIPING	\$29,263.52
DAVEY RESOURCE GROUP	WM DRY CREEK RESTORATION	\$14,830.80

CITY ATTORNEY’S REPORT/DISCUSSION Brian Ballenger

No Report. Need for executive session to discuss personnel and potential wages.

CITY ENGINEER’S REPORT/DISCUSSION Dave Kuhn

Engineer's Report

ENGINEER'S REPORT

- The Enclave – Contract A: Contractor is working on finishing the remaining punch list items. The final few trees that have been marked will be planted in the next couple of weeks. They are presently working on getting the pond pump started.
- The Enclave-Lighting: This is complete.
- Wheeling & Curtice Intersection: This is complete.

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- 4) Farnstead Dr.: NWWSD will be installing meters in the next couple of weeks and fixing the remaining sidewalks.
 - 5) Curtice Rd. over I-280 new curb installation and resurfacing: We are finishing plans and will submit to ODOT for approval. Once we receive ODOT approval we will bid the project.
 - 6) Arbor Dr.: The Shelly Company has started work and will be milling and paving in the next couple of weeks.
 - 7) Dry Creek Aquatic and Riparian Restoration project: This project is located on 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. The contractor has begun working on this project. Should be substantially complete within 4 to 5 weeks. During this time there will be periodic closures at the park & trail. Councilor Melnyk asked for the closures to be share on social media if possible.
 - 9) We have had a meeting with Lathrop on the splash pad ponding issue. We are also getting estimates from the splash pad vendor on the water recycling system, and will be looking into well options.
 - 10) The Enclave Ditch Enclosure contracts are presently being signed. The contractor will begin work at the end of this month. The project should take about 4 weeks, weather depending.
 - 11) The Lemoyne-Woodville intersection traffic signal. Traffic signal should be working with the new controller. Contractor still has some cleanup on site.
- Questions for the Engineer:
Councilor Stoner asked when was the last time we have the lights timed down Woodville Road and requested the City Engineer get the process started.

NEW BUSINESS

Council President Fahrbach discussed concerns with Ordinance 2024-36 regarding conditional uses of marijuana facility dispensaries. He stated he has received a good amount of feedback, particularly from residents on the west side of Northwood, where it is pretty much exclusively zoned at. He stated that the Central Business District is completely written off of the ordinance and we wouldn't be putting a dispensary on Woodville Rd. anyway with the current zoning; Mr. Fahrbach additionally shared he has received many complaints that we are targeting one side of Northwood.

Councilor Stoner reminded Council of the Firefighters memorial on Sunday at noon and the Halloween parade is Saturday, October 26th.

Councilor Melnyk stated he was approached by people talking about the blue blocked crossing lights and asked if there were any intentions of putting one at the corner of Andrus and East Broadway? City Administrator stated that there has been discussion about having someone come out and look at the blue lights, and we have priced a whole new system for Wales Road, which was \$350,000+. He stated he would continue discussion and look into options.

OLD BUSINESS

PERSONS APPEARING BEFORE THE MAYOR AND COUNCIL

- 1. Dave Hardy, 3307 Curtice Road - Concerns with semis, dumptrucks, and box trucks running up and down Curtice Rd. He stated the trucks has caused damage to his yard, the road and it is a safety concern as well. Mr. Hardy stated he has been to the police station, left his contact info, and has tried calling but has not received a response. Mr. Hardy believes the issue is being ignored and wants it addressed. Additionally, he brought up concerns with the turn lanes at the Curtice & Lemoyne intersection and wondered if the light sequences are screwing up somehow in that area. Mayor Schimmel stated he will look into the issues. Additionally, he stated that officers have been sitting at the farm at the corner of Bradner and Curtice every day for the last week and they have issued several tickets to dump trucks.
- 2. Finance Director Ken Yant reminded council to keep on the budget schedule, they should schedule a Service Committee and Parks & Rec Committee Meeting before the Finance Committee meeting on November 7th.
- 3. Audrey Caligiuri, 423 Ravenwood - Received questions regarding where the public notice was posted for the Public Hearing regarding the Zoning amendments for marijuana dispensaries in the city because she was not aware of the hearing and didn't see anything in the Press or Police Newsletter. She stated the city needs to inform the citizens of what is going on and make more of an effort to share the information when there are issues of this magnitude.
- 4. James Lewinsky, 1979 S. Coy Rd - Concerned with the safety at the corner of S. Coy and Bradner Rd. He stated he has been witness to several accidents and sees people run the stop sign frequently. City Administrator Laughlin stated we just received the light up stop signsfor that intersection this week and they will be installed soon.

EXECUTIVE SESSION

MOTION: Councilor Kozina made a motion to **enter into executive session with Mayor, Council, City Administrator, City Attorney & Fire Chief to discuss appointment and compensation of a public employee;** seconded by Council President Fahrbach. **ROLL CALL:** **Yes:** Council President Fahrbach, Councilor Edwards, Councilor Melnyk, Councilor Huntermark, Councilor Barton, Councilor Kozina, Councilor Stoner; **No:** None; **Abstain:** None
So Moved at 7:37pm

The meeting was called back to order at 7:55pm and the roll was called by Council Clerk Popovitch. Those in attendance were as follows: Mayor Schimmel, Council President Fahrbach, Councilor Edwards, Councilor Melnyk,

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Councilor Huntermark, Councilor Barton, Councilor Kozina, Councilor Stoner City Administrator Kevin Laughlin, City Attorney Brian Ballenger and City Attorney Dave Kuhn.

No action taken.

ADJOURNMENT

07:56 PM

ATTEST: _____
Council Clerk

APPROVED: _____
Mayor



ITEM REPORT/DISCUSSION

REGULAR CITY COUNCIL MEETING ON: OCTOBER 24, 2024

RESOLUTION 2024-11 A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR THE LAND AND WATER CONSERVATION FUNDS THROUGH THE OHIO DEPARTMENT OF NATURAL RESOURCES AND AGREE TO OBLIGATE THE NECESSARY FUNDS TO COMPLETE THE PROJECT; AND DECLARING AN EMERGENCY. *1st Reading*

ADMINISTRATIVE SUMMARY

Support Resolution needed to apply for the LWCF application due by November 15th.

ADMINISTRATORS RECOMMENDATION: *Suspend Rules & Apdot as Emergency*

2024-11

RESOLUTION 2024-11 A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR THE LAND AND WATER CONSERVATION FUNDS THROUGH THE OHIO DEPARTMENT OF NATURAL RESOURCES AND AGREE TO OBLIGATE THE NECESSARY FUNDS TO COMPLETE THE PROJECT; AND DECLARING AN EMERGENCY.

WHEREAS, The City of Northwood is desirous of constructing an outdoor multipurpose rink as a way to enhance physical activity and wellness options for the community, and;

WHEREAS, The State of Ohio through the Ohio Department of Natural Resources, administers financial assistance for public recreation purposes, through the federal Land and Water Conservation Fund program and;

WHEREAS, The City of Northwood desires financial assistance under the Land and Water Conservation Fund

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 with the Ohio Department of Natural Resources and to provide all information and documentation required to become eligible for possible funding assistance through the federal Land and Water Conservation Fund program.

SECTION 2. That the City agrees to obligate funds required to satisfactory complete the proposed project and become eligible for reimbursement under the terms of the Land and Water Conservation Fund.

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



ITEM REPORT/DISCUSSION

REGULAR CITY COUNCIL MEETING ON: OCTOBER 24, 2024

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. *3rd Reading*

ADMINISTRATIVE SUMMARY

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

Wood County Public Defender has submitted a cost estimate of \$100.00 per qualified indigent individual. Total estimated cost is \$1,000.00. Wood County Public Defender would, therefore, provide legal services required by state and federal law to City of Northwood.

Note: this only applies to violations of a *city* ordinance.

ADMINISTRATORS RECOMMENDATION: *3rd Reading*

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



ITEM REPORT/DISCUSSION

REGULAR CITY COUNCIL MEETING ON: OCTOBER 24, 2024

ORDINANCE 2024-41 AN ORDINANCE AMENDING ORDINANCE 2024-18 PROVIDING FOR THE COMPENSATION OF NON-UNION PERSONNEL OF THE CITY OF NORTHWOOD; AND DECLARING AN EMERGENCY. *2nd Reading*

ADMINISTRATIVE SUMMARY

Earlier this year, City Council adopted an ordinance adding new full-time firefighter positions and the appropriate compensation. Since then, an additional position description for full-time Firefighter/Advanced EMT was adopted by City Council. Ordinance 2024-41 is amending the previously adopted ordinance to include the new firefighter position and accurately reflect the recommended compensation assignments for the positions effective January 1, 2025.

ADMINISTRATORS RECOMMENDATION: *Suspend Rules & Apdot as Emergency*

2024-41

ORDINANCE 2024-41 AN ORDINANCE AMENDING ORDINANCE 2024-18
PROVIDING FOR THE COMPENSATION OF NON-UNION PERSONNEL OF
THE CITY OF NORTHWOOD; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance 2024-18 was adopted on May 30, 2024, providing for the compensation of non-union personnel of the City of Northwood, which included the addition of new full-time positions of Firefighter/EMT and Firefighter/Paramedic; and

WHEREAS, Northwood City Council approved a new position description for Firefighter/Advanced EMT by Ordinance 2024-32 ; and

WHEREAS, the Administration has reviewed the compensation of the full-time firefighter/EMT, firefighter/paramedic and firefighter/advanced EMT positions and deemed it necessary to amend the previously adopted ordinance to include the new Firefighter/Advanced EMT position and accurately reflect the recommended compensation assignments for the positions.

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

SECTION 1. Amending SECTION 2. of Ordinance 2024-18 to read as follows:

Effective July 1, 2024, the maximum compensation rate for the following personnel shall increase 3.00% annually as follows:

<u>MANAGEMENT PERSONNEL</u>		<u>Per Year, Payable Bi-Weekly</u>	
City Administrator		\$ 108,078	
Police Chief		\$ 103,849	
Fire Chief		\$ 62,202	
Director of Public Service		\$ 87,168	
Finance & Revenue Director		\$ 93,739	
Clerk of Court		\$ 62,407	
Planning, Zoning Coordinator		\$ 62,932	
Police Captain		\$ 92,684	
City Law Director		\$ 36,026	
City Prosecutor		\$ 21,385	
A.	PART-TIME PERSONNEL	Monthly	Per Year
	Civil Service Secretary	194.36	2,332.36
B.	POLICE EMPLOYEES	Hourly	
	Police Secretary	24.61	
	Part-Time Dispatcher	22.57	
	Crossing Guard	15.41	
C.	OFFICE EMPLOYEES	Hourly	Per Year
	Executive Administrative Assistant	26.43	\$54,980.78
	City Clerk		\$3,819.24
	Part-Time Code Enforcement Officer	25.47	
	PT Exterior Property Maintenance inspector	25.47	
D.	COURT EMPLOYEES	Hourly	
	PT Deputy Court Clerk/Dispatch	24.69	
E.	RECREATION EMPLOYEES	Hourly	Per Year
	Recreation Director		51,500
	Assistant Recreation Director		46,350
	Recreation Worker	19.13	
	Concession Stand	15.45	

F. FIRE DEPARTMENT

Effective January 1, 2025, the maximum compensation rate for the following personnel shall be as

follows:

	Hourly	Per Year
Full time Firefighter/Basic EMT	20.79 21.56	\$54,033.04 56,056
Full time Firefighter/Advanced EMT	24.47	\$63,622
Full time Firefighter/Paramedic	23.62 25.96	\$61,401.18 67,496

Lateral transfers with a minimum of two years full-time in the Ohio Police and Fire Pension System

<u>Salary/Experience</u>	<u>Basic EMT</u>	<u>Advanced EMT</u>	<u>Paramedic</u>
Starting Base	\$56,056.00	\$63,622.00	\$67,496.00
2 Years	\$59,419.36	\$67,439.32	\$71,545.76
3 Years	\$61,201.94	\$69,462.50	\$73,692.13
4 Years	\$63,038.00	\$71,546.37	\$75,902.90
5 Years Plus	\$64,929.14	\$73,692.77	\$78,179.98

A sign-on bonus will be paid annually for three years upon completion of their anniversary date.
Retroactive to the first round of full-time hires

- Firefighter/Basic EMT** - \$1,000/\$3,000 for the three years
- Firefighter/Advanced EMT** - \$1,500/\$4,500 for the three years
- Firefighter/Paramedic** - \$2,500/\$7,500 for the three years

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 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. 2024-18 Passed May 30, 2024

ORDINANCE 2024-18

AN ORDINANCE PROVIDING FOR THE COMPENSATION OF NON-UNION PERSONNEL OF THE CITY OF NORTHWOOD; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Northwood has researched the compensation of personnel in similar municipalities in the State of Ohio; and,

WHEREAS, in order to attract and maintain high quality personnel, the City of Northwood must offer compensation to these individuals comparable to neighboring communities.

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

SECTION 1. Effective with the passage of Ordinance 2024-18, the City Administrator, with the consent of the Mayor, is authorized to set the compensation of personnel within the limits outlined in said Ordinance 2024-18.

Effective July 1, 2023, the maximum compensation rate for the following personnel shall increase 3.00% annually as follows:

MANAGEMENT PERSONNEL		Per Year, Payable Bi-Weekly	
	City Administrator		\$ 104,930
	Police Chief		\$ 100,824
	Fire Chief		\$ 60,390
	Director of Public Service		\$ 84,629
	Finance & Revenue Director		\$ 91,009
	Clerk of Court		\$ 60,589
	Planning, Zoning Coordinator		\$ 61,099
	Police Captain		\$ 89,984
	City Law Director		\$ 34,977
	City Prosecutor		\$ 20,762
A.	PART-TIME PERSONNEL	Monthly	Per Year
	Civil Service Secretary	188.70	2,264.43
B.	POLICE EMPLOYEES	Hourly	
	Police Secretary	23.89	
	Part-Time Dispatcher	21.91	
	Crossing Guard	14.96	
C.	OFFICE EMPLOYEES	Hourly	Per Year
	Executive Administrative Assistant	25.66	\$53,379.395
	City Clerk		\$3,600.00 \$3,708
	Part-Time Code Enforcement Officer	24.01 24.73	
	PT Exterior Property Maintenance inspector	24.01 24.73	
D.	COURT EMPLOYEES	Hourly	
	PT Deputy Court Clerk/Dispatch	23.27 23.97	
E.	RECREATION EMPLOYEES	Hourly	Per Year
	Recreation Director		50,000
	Assistant Recreation Director		45,000
	Recreation Worker	18.57	
	Concession Stand	15.00	
F.	FIRE DEPARTMENT	Hourly	Per Year
	Full time Firefighter/Paramedic	22.93	\$59,612.80
	Full time Firefighter/EMT	20.18	\$52,459.26

SECTION 2: Effective July 1, 2024, the maximum compensation rate for the following personnel shall increase 3.00% annually as follows:

MANAGEMENT PERSONNEL		Per Year, Payable Bi-Weekly	
	City Administrator		\$ 108,078
	Police Chief		\$ 103,849
	Fire Chief		\$ 62,202

RECORD OF ORDINANCES

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

Ordinance No. 2024-18 Passed May 30, 2024

	Director of Public Service		\$ 87,168
	Finance & Revenue Director		\$ 93,739
	Clerk of Court		\$ 62,407
	Planning, Zoning Coordinator		\$ 62,932
	Police Captain		\$ 92,684
	City Law Director		\$ 36,026
	City Prosecutor		\$ 21,385
A.	PART-TIME PERSONNEL	Monthly	Per Year
	Civil Service Secretary	194.36	2,332.36
B.	POLICE EMPLOYEES	Hourly	
	Police Secretary	24.61	
	Part-Time Dispatcher	22.57	
	Crossing Guard	15.41	
C.	OFFICE EMPLOYEES	Hourly	Per Year
	Executive Administrative Assistant	26.43	\$54,980.78
	City Clerk	24.73 25.47	\$ 3,708 \$3,819.24
	Part-Time Code Enforcement Officer	24.73	25.47
	PT Exterior Property Maintenance inspector	24.73	25.47
D.	COURT EMPLOYEES	Hourly	
	PT Deputy Court Clerk/Dispatch	23.97	24.69
E.	RECREATION EMPLOYEES	Hourly	Per Year
	Recreation Director		51,500
	Assistant Recreation Director		46,350
	Recreation Worker	19.13	
	Concession Stand	15.45	
F.	FIRE DEPARTMENT	Hourly	Per Year
	Full time Firefighter/Paramedic	23.62	\$61,401.18
	Full time Firefighter/EMT	20.79	\$54,033.04

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. That this Ordinance constitutes as emergency measure because updating the Compensation of non-union management personnel is 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.

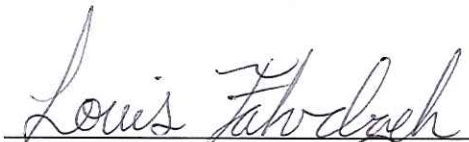
Vote to suspend rules:	For: _____ Against: _____ Abstain: _____
Vote on emergency clause:	For: _____ Against: _____ Abstain: _____
Vote on adoption:	For: _____ Against: _____ Abstain: _____
Vote to amend:	For: <u>6</u> Against: <u>0</u> Abstain: <u>-</u>
Vote to adopt as amended	For: <u>6</u> Against: <u>0</u> Abstain: <u>-</u>

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

Effective: June 30, 2024

ATTEST:


Clerk of Council


President of Council

APPROVED AS TO FORM:


City Attorney

APPROVED:

Mayor



ITEM REPORT/DISCUSSION

REGULAR CITY COUNCIL MEETING ON: OCTOBER 24, 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. *3rd 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 that encompasses medical and recreational marijuana cultivator, dispensary, processor, and testing facilities.

ADMINISTRATORS RECOMMENDATION: *3rd 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: OCTOBER 24, 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. *3rd 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: *3rd 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:

APPROVED:

City Attorney

Mayor



ITEM REPORT/DISCUSSION

REGULAR CITY COUNCIL MEETING ON: OCTOBER 24, 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. *3rd 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: *3rd 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" Commercial 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

2024-36

ATTEST:

Clerk of Council

President of Council

APPROVED AS TO FORM:

APPROVED:

City Attorney

Mayor



ITEM REPORT/DISCUSSION

REGULAR CITY COUNCIL MEETING ON: OCTOBER 24, 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. *3rd 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: *3rd 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: OCTOBER 24, 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. *3rd Reading*

ADMINISTRATIVE SUMMARY

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

ADMINISTRATORS RECOMMENDATION: *3rd 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:___

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

Effective: _____, 2024

ATTEST:

Clerk of Council
APPROVED AS TO FORM:

President of Council
APPROVED:

City Attorney

Mayor



ITEM REPORT/DISCUSSION

REGULAR CITY COUNCIL MEETING ON: OCTOBER 24, 2024

ORDINANCE 2024-40 AN ORDINANCE REPEALING NORTHWOOD ORDINANCE 2023-39; AND DECLARING AN EMERGENCY. *3rd 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: *3rd 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:

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- (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.

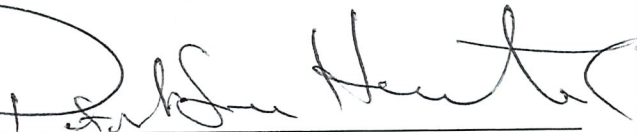
Vote to suspend rules:	For: <u> </u> Against: <u> </u> Abstain: <u> </u>
Vote on emergency clause:	For: <u> </u> Against: <u> </u> Abstain: <u> </u>
Vote on final adoption:	For: <u> </u> Against: <u> </u> Abstain: <u> </u>

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

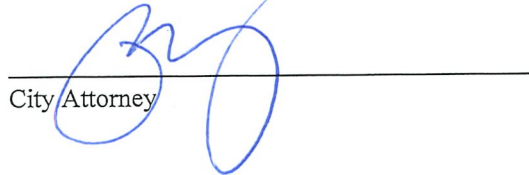
Effective: June 11, 2023

ATTEST:


Clerk of Council


President of Council

APPROVED AS TO FORM:


City Attorney

APPROVED:


Mayor

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