

Mayor
Kathy Huner

City Council
Shane Chamberlin
Patrick Griggs
Steve Schneider
Harold Stickley
Jeff Stiriz
Scott Stiriz



230 Clinton Street • Wauseon, Ohio 43567

Director of Law
Thomas A. McWatters III

Director of Finance
Jamie L. Giguere

Director of Public Service
Keith C. Torbet

Police Chief
Kevin Chittenden

Fire Chief
Rick Sluder

November 12, 2020

Wauseon City Council
230 Clinton Street
Wauseon, Ohio 43567

RE: Council Meeting of November 16, 2020

Dear Council Members:

We are not aware of anyone wishing to address Council.

The Personnel Committee will present a report and recommend that the evaluation of the Clerk of Council be accepted. The Buildings and Grounds Committee and Tree Committee will also present a report.

There will be a first reading on Resolution 2020-20, which authorizes the Mayor to enter into the annual Agreement with Fulton County for Indigent Services. There will also be a first reading on Resolution 2020-21, which authorizes the Mayor to enter into the annual EMA contract with Fulton County.

In new business, a motion will be necessary to authorize the Director of Finance to appropriate, within the Water Revenue Fund and the Water Reclamation Fund, the amount necessary to purchase water billing software from Link Computer Corporation. Motions will also be necessary to approve the 2021 schedule of Council meetings and approve the annual employee Christmas gifts.

There is no legislation for second or third reading.

These are the only issues I am aware of to come before Council. Should any member of Council have any questions or comments, you are strongly encouraged to contact the appropriate Department Head prior to the meeting.

Respectfully submitted,

Thomas A. McWatters III
City Law Director

TAM:knp

cc: Kathy Huner, Mayor
Andrea Gerken, Clerk of Council
Jamie Giguere, Finance Director
The Blade

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WAUSEON CITY COUNCIL AGENDA
November 16, 2020 @ 5:00 pm
Council Chambers

Order of Business

1. Call meeting to order
2. Pledge of Allegiance
3. Moment of Silence
4. Roll Call
 - a) Council President Chamberlin
 - b) Councilor Schneider
 - c) Councilor Stickley
 - d) Councilor Jeff Stiriz
 - e) Councilor Griggs
 - f) Councilor Scott Stiriz
5. Approval of prior meetings' minutes:
 - a) Council Meeting: November 2, 2020
 - b) Committee of the Whole: November 12, 2020
 - Motion to approve the meeting minutes moved by _____ and seconded by _____.
All in favor:
6. Names of Individuals Wishing to Address Council and Topic
7. Committee Reports
 - a) Personnel Committee: Monday, November 2, 2020, Shane Chamberlin, Chair
 - Motion to accept the Personnel Committee recommendation to accept the performance evaluation of the Clerk of Council moved by _____ and seconded by _____.
Vote: ____ Yeas ____ Nays
 - b) Tree Commission: Wednesday, November 11, 2020, Patrick Griggs, Council Rep
 - c) Buildings & Grounds: Wednesday, November 11, 2020, Harold Stickley, Chair
8. Department Head Reports
 - a) Rick Sluder, Fire Chief
 - b) Kevin Chittenden, Police Chief
 - c) Keith Torbet, Director of Public Service
 - d) Jamie Giguere, Director of Finance
 - e) Thomas McWatters III, Law Director
9. First Reading of Legislation or Emergency
 - a) Resolution 2020-20: A Resolution Authorizing the Mayor to Enter into an Agreement for Indigent Defense Services in County Court with the Fulton County Commissioners
 - Motion to place Resolution 2020-20 on first reading moved by _____ and seconded by _____

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_____.

Vote: ____ Yeas ____ Nays

- b) Resolution 2020-21: A Resolution Authorizing the Mayor to Enter into an Agreement for a Countywide Emergency Management Agency Pursuant to Ohio Revised Code Section 5502
- Motion to place Resolution 2020-21 on first reading moved by _____ and seconded by _____.

_____.

Vote: ____ Yeas ____ Nays

10. Second Reading of Legislation or Emergency

11. Third Reading of Legislation or Emergency

12. New Business

- a) Motion to authorize the Director of Finance to appropriate \$3,500 within the Water Revenue Fund account entitled Water Office Capital (601.551.52500) and \$3,500 within the Water Revenue Fund account entitled Water Reclamation Office Capital (602.551.52500) moved by _____ and seconded by _____.

Vote: ____ Yeas ____ Nays

- b) Motion to approve the 2021 schedule of Council meetings moved by _____ and seconded by _____.

Vote: ____ Yeas ____ Nays

- c) Motion to authorize the employee Christmas gifts in the amount of \$4875 moved by _____ and seconded by _____.

Vote: ____ Yeas ____ Nays

13. Approval of the Bills

- a) Motion to approve and pay the bills moved by _____ and seconded by _____.

Vote: ____ Yeas ____ Nays

14. Adjournment

- a) Motion to adjourn at _____ p.m. moved by _____ and seconded by _____.
All in favor:

Andrea R Gerken
Clerk of Council

Council reserves the right to adjourn into Executive Session at any time it deems appropriate. The distribution of this Agenda does not obligate Council to take action on the items set forth herein, nor does it limit Council from taking action on other items not on the Agenda. The items listed on the Agenda are subject to change. If additional items are added, Council will use its best effort to notify all interested parties of changes prior to the meeting.

**PERSONNEL COMMITTEE MEETING
COUNCIL CHAMBERS
MONDAY, NOVEMBER 2, 2020
IMMEDIATELY FOLLOWING COUNCIL MEETING**

Present: Shane Chamberlin, Steve Schneider and Scott Stiriz

Also Present: Mayor Huner, Keith Torbet, Tom McWatters, Sarah Wheeler and Andrea Gerken

Employee Evaluation

Council President Chamberlin called this meeting to order at 6:36 pm in Council Chambers.

Council President Chamberlin made a motion with Councilor Stiriz seconding to go into Executive Session to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee; and invite Mayor Huner, Sarah Wheeler, Keith Torbet and Tom McWatters to attend.

VOTE: Three Yeas - No Nays **MOTION CARRIES**

Clerk of Council, Andrea Gerken exited the meeting at 6:37 pm.

The Committee exited out of Executive Session at 6:47 pm and Andrea Gerken reentered the meeting.

Councilor Schneider made a motion to accept the performance evaluation for the Clerk of Council with Council Stiriz seconding.

VOTE: Two Yeas – No Nays – One Abstain (Chamberlin) **MOTION CARRIES**

Council President Chamberlin moved with Councilor Schneider seconding to adjourn this meeting of the Personnel Committee at 6:49 pm.

All in favor: **MOTION CARRIES**

Respectfully submitted,
Andrea R. Gerken
Clerk of Council

Tree Commission

Wednesday, November 11, 2020 @ 7:30 a.m.

Councilor Griggs said there are no minutes and the meeting was only a quick review of the topics they have been discussing. He said Pete Carr was not present and he doesn't think anyone took notes.

Typed by:

Andrea Gerken
Clerk of Council

BUILDINGS & GROUNDS
WEDNESDAY, NOVEMBER 11, 2020
12:00 PM

Present: Harold Stickley, Steve Schneider and Patrick Griggs

Staff: Andrea Gerken and Keith Torbet

Others Present: Matt Gilroy, Fulton County Economic Development and Jeffrey Soclof, Coldwell Banker representing the Manchester Group (present via Zoom)

Matter: 4 acre parcel behind McDonald's

Councilor Stickley called the meeting to order at 12:00 PM. He turned the meeting over to Mr. Soclof and he provided a brief history of the property in question. He explained that he is possibly interested in donating this property. Mr. Gilroy explained that to allow for tax benefits the land must be donated to a non-profit organization and usually cannot be sold for 3 to 5 years. He said he would do some research to see if the Wauseon Area Foundation or another local non-profit organization is interested in accepting such a donation. Mr. Soclof exited the meeting at 12:24 PM.

There was a lot of general discussion regarding possible uses for this property and the best way to obtain it. No action taken.

With no further business to discuss this meeting adjourned at 12:46 PM.

Respectfully submitted,
Andrea R. Gerken
Clerk of Council

	Yes	No
Emergency		
First Reading		
Second Reading		
Third Reading		
Suspension		

RESOLUTION 2020-20

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR INDIGENT DEFENSE SERVICES IN COUNTY COURT WITH THE FULTON COUNTY COMMISSIONERS

WHEREAS, since 2011 the City of Wauseon has contracted with the Fulton County Commissioners for the City's reimbursement to Fulton County for the County's costs incurred in providing legal services to indigents charged with violation of ordinances of the City of Wauseon; and

WHEREAS, the County has indicated that it desires to enter into a new Agreement for Indigent Defense Services In County Court for 2021 ("2021 Agreement") which is substantively identical to the previous year's contract; and

WHEREAS, the City desires to enter into the 2021 Agreement; and

WHEREAS, a copy of the 2021 Agreement is on file in the office of the Clerk of Council;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Wauseon, Fulton County, Ohio as follows:

Section 1.

That the Mayor or her designee is authorized to execute the 2021 Agreement on file with the Clerk of Council.

Section 2.

The Mayor or her designee is further authorized to execute any and all documents necessary to effectuate the intention of Council pursuant to this Resolution.

Passed:

Kathy Huner, Mayor

Shane Chamberlin, President of Council

Attested:

Andrea Gerken
Clerk of Council

Approved as to Form:

Thomas A. McWatters III
City Law Director

	Yes	No
Emergency		
First Reading		
Second Reading		
Third Reading		

RESOLUTION 2020-21

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR A COUNTYWIDE EMERGENCY MANAGEMENT AGENCY PURSUANT TO OHIO REVISED CODE SECTION 5502

WHEREAS, there is an existing possibility of the occurrence of destruction resulting from enemy attack, or from natural or man-made disaster, and it is necessary to ensure that the preparations of this City will be adequate to deal with such disasters and generally to provide for the common defense, and to protect the public order, health, safety and general welfare, and to preserve the lives and property of the citizens of this City; and

WHEREAS, the City of Wauseon may need to call on County government, other local subdivisions with the County, and/or subdivisions, local governments, and state and federal resources outside the City to mitigate, prepare for, respond to, or recover from said emergency, disaster, enemy attack or unusual occurrence; and

WHEREAS, the coordination of civil defense activities within the area of Fulton County is of paramount importance to the City of Wauseon, as well as to Fulton County and the other local subdivisions therein; and

WHEREAS, the County of Fulton desires to effect said coordination by entering into an agreement, in the manner provided by law, with the various municipal corporations and townships; and

WHEREAS, Ohio Revised Code section 5502.26 constitutes the legal basis for the establishment of a county-wide Emergency Management Agency with the power to coordinate and unify the civil defense activities of the participants thereof; and

WHEREAS, the City of Wauseon has been a signatory to an agreement authorizing the formation of the Fulton County Emergency Management Agency; and

WHEREAS, the City of Wauseon desires to continue to be a member of the Fulton County Emergency Management Agency; and

WHEREAS, a copy of 2021 Agreement For A Countywide Emergency Management

Agency is on file in the Office of the Clerk of Council;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Wauseon, Fulton County, Ohio, as follows:

Section 1.

That the Mayor be, and hereby is, authorized to execute the 2021 Agreement For A Countywide Emergency Management Agency, a copy of which is on file in the Office of the Clerk of Council.

Section 2.

That the Mayor is further authorized to execute any and all documents necessary therefore.

Passed:

Kathy Huner, Mayor

Shane Chamberlin, President of Council

Attest: _____
Andrea Gerken
Clerk of Council

Approved as to Form:

Thomas A. McWatters III
City Law Director

November 16, 2020

To: Mayor and Council

From: Jamie Giguere
Director of Finance

Subject: The following motion is necessary to appropriate, within the Water Revenue Fund and the Water Reclamation Fund, the amount necessary to purchase water billing software from Link Computer Corporation.

Motion made by Councilor _____ and seconded by Councilor _____ to authorize the Director of Finance to appropriate \$3,500 within the Water Revenue Fund account entitled Water Office Capital (601.551.52500) and \$3,500 within the Water Revenue Fund account entitled Water Reclamation Office Capital (602.551.52500).

2021 COUNCIL MEETINGS

Wauseon City Council meetings will be held the first and third Monday of each month at 5:00 PM in Council Chambers, 230 Clinton Street, Wauseon, OH. The only exceptions will be in July the first meeting will be held on Tuesday, July 6, 2020 and in September there will be only one meeting on Monday, September 13, 2020.

January

Monday, January 4, 2021
Monday, January 18, 2021

February

Monday, February 1, 2021
Monday, February 15, 2021

March

Monday, March 1, 2021
Monday, March 15, 2021

April

Monday, April 5, 2021
Monday, April 19, 2021

May

Monday, May 3, 2021
Monday, May 17, 2021

June

Monday, June 7, 2021
Monday, June 21, 2021

July

Tuesday, July 6, 2021
Monday, July 19, 2021

August

Monday, August 2, 2021
Monday, August 16, 2021

September

Monday, September 13, 2021

October

Monday, October 4, 2021
Monday, October 18, 2021

November

Monday, November 1, 2021
Monday, November 15, 2021

December

Monday, December 6, 2021
Monday, December 20, 2021

Andrea R. Gerken
Clerk of Council

**WAUSEON CITY COUNCIL
COUNCIL MEETING
MONDAY, NOVEMBER 2, 2020**

Mayor Huner called this meeting of the Wauseon City Council to order at 5:00 p.m. in Council Chambers. She led the Pledge of Allegiance which was followed by a moment of silence. Roll was taken by the Clerk of Council. Present were Council President Chamberlin, Councilors Jeff Stiriz, Scott Stiriz, Stickley, Griggs and Schneider. Also present was Sarah Wheeler, Human Resources/Payroll Officer.

MINUTES

Mayor Huner asked for a motion to approve the prior meeting minutes. Councilor Stickley moved and seconded by Councilor Griggs to approve the minutes as printed.

All in favor: *Motion Passed Unanimously*

COMMITTEE REPORTS

Councilor Schneider provided a summary of the October 27, 2020 Finance Committee meeting. He said items considered were the merit increase scale for city employees; updating the city tax code; and the income tax revenue allocation. He said there was discussion about all of these topics.

Motion to accept the Finance Committee recommendation to update the tax code to allow for a nonsufficient check fee; to clarify the income tax credit is only for municipalities in the State of Ohio; to update the definitions of a pension and a retirement benefit plan; and to change the allocation to put all income tax revenue into the General Fund moved by Councilor Stickley and seconded by Councilor Scott Stiriz.

Vote: 6 Yeas 0 Nays *Motion Carries*

DEPARTMENT HEAD REPORTS

Chief Sluder: He reminded everyone about Resolution 2020-19 which will be voted on tonight.

Chief Chittenden: The test for a dispatcher is November 14, 2020. All 1st & 2nd shift officers took election training.

Keith Torbet: Leaf pick-up started today. Brush pick up is done for the year. The downtown sidewalk project is out for bid and will be opened the end of November.

Jamie Giguere: Income tax revenue is now down 6.45% through the month of October.

Tom McWatters: He congratulated the Wauseon boys and girls cross country teams for qualifying for state.

FIRST READING OF LEGISLATION OR EMERGENCY

Ordinance 2020-9: An Ordinance Amending Section 191 of the Codified Ordinances of the City of Wauseon; and Declaring an Emergency

Councilor Schneider moved and seconded by Councilor Jeff Stiriz to place Ordinance 2020-9 on emergency reading.

Vote: 6 Yeas 0 Nays *Motion Carries*

Councilor Stickley moved and seconded by Councilor Scott Stiriz to place Ordinance 2020-9 on final reading.

Vote: 6 Yeas 0 Nays *Motion Carries*

SECOND READING OF LEGISLATION OR EMERGENCY

Resolution 2020-19: A Resolution Authorizing the Mayor to Pursue a Proposal for Creation of an EMS & Fire District for Funding Purposes; and Declaring an Emergency

Councilor Stickley moved and seconded by Councilor Schneider to place Resolution 2020-19 on emergency reading.
Vote: 5 Yeas 0 Nays 1 Abstain (Chamberlin) *Motion Carries*

Councilor Jeff Stiriz moved and seconded by Councilor Stickley to place Resolution 2020-19 on final reading.
Vote: 5 Yeas 0 Nays 1 Abstain (Chamberlin) *Motion Carries*

THIRD READING OF LEGISLATION OR EMERGENCY

There was no legislation for third reading.

NEW BUSINESS

Mayor Huner gave a shout out to the Fire and Police Departments for helping with Trick or Treat. She said that tomorrow is a very important day and encouraged everyone to get out and vote.

Council President Chamberlin asked for a motion to be excused from the November 16, 2020 meeting as he is a basketball coach and his team has a competition that night.

Motion to excuse President Chamberlin from the November 16, 2020 meeting moved by Councilor Stickley and seconded by Councilor Jeff Stiriz.
Vote: 5 Yeas 0 Nays 1 Abstain (Chamberlin) *Motion Carries*

APPROVAL OF THE BILLS

Councilor Schneider moved and seconded by Councilor Stickley to approve and pay the bills as presented.
Vote: 6 Yeas 0 Nays *Motion Carries*

EXECUTIVE SESSION

Council President Chamberlin moved with Councilor Griggs seconding to enter into executive session to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee; President Chamberlin requested only city council members remain in the executive session. In response to the request first by Mayor Huner and then Tom McWatters as to the grounds for going into executive session, President Chamberlin restated that it was to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee. Mr. McWatters advised Council that the consideration of a public employee's evaluation is not a permissible grounds under State law to conduct an executive session. Mr. McWatters requested to be included along with Mayor Huner, Keith Torbet and Sarah Wheeler in the Executive Session. Council President Chamberlin said he wants only the council members to remain for this meeting and that he doesn't intend for there to be any action after the executive session.
Vote: 6 Yeas 0 Nays *Motion Carries*

Council entered into executive session at 5:17 pm. Everyone exited the meeting except Council members.

Council exited out of executive session at 5:42 pm. Mayor Huner, Sarah Wheeler, Keith Torbet, Tom McWatters and Andrea Gerken reentered the meeting.

Human Resource Officer, Sarah Wheeler explained that the instructions for the employee evaluations have not been utilized correctly in the past. She said she met with all supervisors and department heads to explain the proper way to complete employee evaluations. She explained that inflated evaluation scores could be a liability issue in the future. Councilor Stickley and Griggs questioned if the adjustment in the scoring could potentially be harmful to employees if an issue arises in the future. Keith Torbet said he redid his evaluations and attached a letter explaining why the scores were lower than in previous years. Tom McWatters said the city has worked hard to put a uniform evaluation process together and it should be utilized consistently for all employees. He said having one evaluation that is not in line with all of the others can hurt the integrity of the process. There was general discussion on the supervision of the Clerk of Council position, the correct and fair way of conducting employee evaluations and the compensation plan policies.

ADJOURNMENT

There being no further business, Mayor Huner asked for a motion to adjourn. Councilor Jeff Stiriz moved and seconded by Councilor Scott Stiriz to adjourn this meeting at 6:35 p.m.

All in favor: *Motion Passed Unanimously*

Andrea Gerken, Clerk of Council

Shane Chamberlin, President of Council

**WAUSEON CITY COUNCIL
COMMITTEE OF THE WHOLE
THURSDAY, NOVEMBER 12, 2020**

Council President Chamberlin called this meeting to order at 7:30 a.m. in the Fire Department Training Room. Roll was called by the Clerk of Council. Present were Councilors Scott Stiriz, Jeff Stiriz, Griggs, Schneider and Stickley. Also present were Keith Torbet and Beth Thomas from HC3; and Karen Pennington and members of the Youth Advisory Council via Zoom.

Council President Chamberlin asked for Committee reports to be discussed while the electronic equipment was set up.

Councilor Stickley said the Buildings and Grounds Committee met Wednesday, November 11, 2020 to hear an offer for a parcel of property from Jeff Soclof, Coldwell Bankers. He said Keith Torbet and Matt Gilroy are looking into a way this land can be donated. No action taken.

Council President Chamberlin said the Personnel Committee met on Monday, November 2, 2020 to discuss the performance evaluation of the Clerk of Council. He said most of the meeting took place in executive session. The committee recommended accepting the performance evaluation of the Clerk of Council.

Councilor Griggs said the Tree Commission met Wednesday, November 11, 2020. He said only four members were present so there was general discussion of topics already covered. There were no minutes taken. No action taken.

President Chamberlin said there are two pieces of legislation for first reading.

Resolution 2020-20: A Resolution Authorizing the Mayor to Enter into an Agreement for Indigent Defense Services in County Court with the Fulton County Commissioners; and Declaring an Emergency

There was general discussion about passing emergency legislation and what constitutes an emergency.

Resolution 2020-21: A Resolution Authorizing the Mayor to Enter into an Agreement for a Countywide Emergency Management Agency Pursuant to Ohio Revised Code Section 5502; and Declaring an Emergency

Beth Thomas, Karen Pennington and the Youth Advisory Council members then gave a short presentation at 7:43 a.m. outlining why they would like to have vape products only sold in stores where one must be 21 to enter. The research indicated that marketing for vape products is being directed at youth. There was general discussion about this matter. Beth Thomas exited the meeting at 8:13 a.m.

Council members, the clerk and Keith Torbet returned to Council Chambers to continue this meeting. President Chamberlin then moved to the agenda items.

President Chamberlin said there is no legislation for second or third reading.

President Chamberlin then gave a brief overview of topics covered at the staff meeting. Councilor Schneider exited the meeting at 8:22 and Councilor Scott Stiriz exited at 8:25 a.m. Andrea Gerken said she would like to purchase a laptop so remote work can be completed or remote meetings can be held, if needed, as the fire department needed the unit they loaned her back for training purposes. There being no further business, this meeting adjourned at 8:42 a.m.