

Regular/Public

October 1, 2018

Council President Baker called the meeting to order. Pastor Chuck Davis led the prayer. The pledge was recited.

Roll call: Shupp, Aspiras Jr., Hamsher, Aspiras Sr., Corfman and Lorson were present.
Excused: Wilson

Lorson moved to accept the minutes of the last regular meeting on September 17, 2018. Aspiras, Sr. seconded. Roll call vote; all yeas; motion carried.

Standing Committee Reports

Planning – Hamsher: Announced that Planning Commission approved the alley vacation parallel to Vine and Main between lots 1022 and 623. We will hold a public hearing and bring that Ordinance before council at the next meeting October 15. All owners have signed in agreement.

Administrative Reports

Mayor Handwerk: Plea to residents, when mowing, to not blow grass into the street. It clogs the drains and is unsafe for motorcycles and bicycles. Or be sure to sweep it up after you blow it into the street. A resident called today asking if we have an ordinance against it as a neighbor continually does it.

Safety Service Department Director Wheeler: Road projects continue. South Main base repairs are complete and now working on the intermediate layer from the south end of city limits to the downtown concrete area. The OPWC has the intermediate layer down. They are replacing curbs and ADA ramps now. They will then move to the catch basin replacement before the final layer. Dominion's gas line project has begun on Smucker Street then cross over to West High. Dominion will replace the sidewalks. There will be some work on East High Street, some joint repair that will affect traffic flow. Leaf pickup will be in November and leaves should also not be blown or raked into the street.

Utility Director Brediger: For the next 2-3 weeks hydrant flushing will be on-going throughout the city. Beginning this week are EPA mandated emission testing on coal Boilers 10 thru 12, tests occur twice every 5 years. Director Brediger and Mayor Handwerk attended the annual AMP conference in Cleveland and attended a useful seminar on drones. Also, Orrville was elected for another 3-year term on the AMP Board of Trustees. Mid-October the High Street water line replacement should begin.

Council President Baker: Congratulated the school athletes that have been working hard this fall; football, tennis, cross county, and volleyball. We have many young athletes working hard at practices.

Old Business - None

New Business

Lorson moved that Resolution 27-18 be placed on first reading. Aspiras, Sr. seconded. Roll call vote; all yeas; motion carried. **Resolution 27-18**, A Resolution strongly opposing State Issue I.

Discussion: Police Chief Matt Birkbeck approached the podium to begin the discussion on State Issue 1 that would have a potentially dramatic effect on our safety forces. State Issue 1 will be on the November election. This is an out-of-state sponsored (Mark Zuckerberg and George Soros) Ohio constitutional amendment mandating that felony drug possession offenses become misdemeanors with no possibility of jail time until a third conviction within a two-year period. If it would pass, Ohio would have the most lenient drug laws in the nation. Those caught with any amount of any drug including, but not limited to, carfentanil, fentanyl, cocaine, LSD, methamphetamine, and GHB (date rape drug) will potentially face no effective consequences. Carfentanil and Fentanyl we've heard a lot about this past year as a very dangerous drug where people are overdosing and dying almost immediately. The State has recently passed measures to help us prosecute those cases. So this would undo all the work recently accomplished in Columbus. State Issue 1 also allows for the reduction of dangerous criminal's prison sentences up to 25%. This isn't just a drug law they are trying to pass but the reduction, by the rehabilitation and corrections department, not the judge reducing the sentence, for mere participation, not completion in, non-specific prison programs. There isn't even a set rehabilitation curriculum. The department of rehabilitation and corrections personnel will decide whether they have completed, or attempted to complete, a program and yet this will reduce their sentence by 25%. This includes the following crimes: attempted murder, felonious assault, gross sexual imposition, aggravated arson and human trafficking, if

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drugs are a component of one of those crimes, your sentence can be reduced by 25% by participating in a program. We are opposed to this and haven't seen anyone in favor of this measure. By pushing these felonies down to misdemeanors, the county now becomes responsible to house them and provide the programs at our cost. The costs are being pushed down to the local level for these crimes that historically should be convicted of felony crimes and sent to state prisons. The judge should have a wide range of choices on dealing with people for probation or parole. It should depend on the nature of the crime but this will take that away. This is a proposed Constitutional amendment which, once approved, is much more difficult to repeal, which is most troublesome. This is the route many of these controversial laws are taking, is making them constitutional amendments since it's not going thru the legislative process, it's not sponsored by local or statewide legislators. So out of state sponsors are proposing an amendment to our Ohio constitution that would be permanent and very difficult to repeal, amend or revise. Those previously convicted can ask for the reduction as well which would cost the state more money. At this time, we are not aware of any other states going forward with this proposal. The Ohio Task Force letter mentioned this would be punishable with less sanctions than driving without a license. Drug violators could conceivably be caught with a tractor trailer full of cocaine, heroin or fentanyl and could not be sentenced to one day in jail if convicted, unless they happen to be driving without a valid license then they could be sentenced up to 180 days in jail. It also said current inmate statistics provided by the Department of Corrections show that there are 49,512 persons incarcerated in Ohio prisons; 14.9% are drug related offenses; 5.4% for drug abuse which represents .0000023% of Ohio residents. So we're talking about a very minute population that we're trying to legislate for. Just like HB5 – net operating loss, we continue to see things at the State level, that's great, they're saving money, but it will fall back on municipalities and counties. The Ohio Municipal League brought this to our attention and we are by no means the only community that is doing something like this (legislation). It is not only very scary for leniency of drug offenses but it's also the financial burden that will be dumped back on to the local entities.

Lorson moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate days be suspended. Hamsher seconded. Roll call vote; all yeas; motion carried. Lorson moved that Resolution 27-18 be adopted as read. Aspiras, Sr. seconded. Roll call vote; all yeas; motion carried.

President Baker thanked the council for passing this legislation that should not become part of our state constitution.

Adjournment

Hamsher moved to adjourn the council meeting; Aspiras, Sr. seconded. Roll call vote; all yeas; motion carried. Council adjourned at 7:55 p.m.

Jeanne Gault, Clerk of Council

Date

Lyle Baker, President of Council