

Prior to the council meeting a public hearing regarding: **Ordinance L-23**, An Ordinance repealing and replacing Section 505.19 of the Codified Ordinances of the City of Orrville, Ohio, regarding housing of certain animals, was held.

Jim Davis, 1239 Dogwood, presented a petition of 65 names with addresses of those opposed to the ordinance. Mr. Davis is on the city's Planning Commission.

Chad and Sarah Zimmerly, 8557 S Elyria Road, Shreve, on behalf of the Wayne County 4-H, rabbits committee. Meeting was paused as they are not residents. Lorson moved to allow them to speak as an expert. Mosley seconded. Opposed: Aspiras & Squirrell. Motion passed. They spoke to support the legislation for 4-H participants. Their daughter has 80 rabbits. They passed around 1 copy of the photo of their cage set up. That did not make it to the council file. Litters range in size from 2-12 depending on the breed. Minimum space needed; minimum noise. 4-H kids would potentially have 10 or more if they show nationally. Each child can show three show rabbits and three meat rabbits.

Dan Linden, 7376 Miller St, Apple Creek, on behalf of the Wayne County 4-H. Lorson moved to allow them to speak as an expert. Mosley seconded. Opposed: Aspiras & Squirrell. Motion passed. He spoke to support the legislation. Hens do make noise when laying eggs and roosters crow. Predators include raccoons and dogs. Manure storage odor depends on if you allow composting or placing in trash. Many give eggs to neighbors as a thanks for putting up with me.

Lorson read the guidelines from the ordinance.

Deborah Garrett, 615 McGill Street, was on council when the original piece of legislation 505.19 was written to address vicious dogs and free range chickens at 150 feet away to reduce neighbor disputes. Violations were enforced by complaint driven. Five feet from the property isn't a feasible answer. Raccoons will be an issue. Feral cats screaming are already an issue. Doesn't want to hear the neighbor's chicken laying an egg. Neighbors were complaining of the free range chickens.

Lorson spoke on previous meeting public comment about the raising protein in your backyard.

Jim Davis spoke on what happens when the city received a complaint that the neighbors chicken stink. Who shows up? That owner will be given a few chances to correct it before being given a citation? (Referring to the property nuisance violation, you get a notice.) Requested more restrictions be put in place. Five feet is too close. Does not want to see the chickens.

Mosley spoke on how a complaint worked on chickens in his neighborhood. First step is to contact the City. The chickens were gone in a few days.

Rich Corfman, 425 E Paradise St., grew up on a farm, was involved in 4-H, and lives in town now and would like to live without chickens and rabbits. There are other 4-H opportunities without animals. He lives in town and doesn't want to live by a farm. No need for livestock in town. Urges council to vote no. Does not want to look at chickens.

Jim Garrett, 615 McGill St., there are pros and cons but by amending this ordinance are you promoting the growth of Orrville or are you amending it to appease a few individuals?  
8:21 Public Hearing closed.

Council President Pro Tempore Aspiras called the council meeting to order.

The Orrville Ministerial Association, Pastor Chuck Davis, Calvary Assembly of God, led the prayer. The pledge was recited.

Roll call. All present.

Council minutes of the November 20, 2023, regular meeting were presented for approval. Squirrell motioned to approve those minutes; Shanklin seconded. All ayes; motion passes.

Council minutes of the December 4, 2023, regular meeting were presented for approval. Shanklin motioned to approve those minutes; Mosley seconded. All ayes; motion passes.

#### **Standing Committee Reports**

Ordinance & Personnel – Lorson: The committee met to interview for the upcoming Ward 2 vacancy. Lorson nominated Jason Lax to fill the unexpired term in Ward 2; Shanklin seconded; all ayes; motion passes.

Transportation – Mosley: Not met. Received notification we were approved for \$400,000 for the OPWC grant. This will fund the repairs of our three worst asphalt streets according to our PCR list. Those streets for next year are Bell from High to Market, McGill from Pine to Paradise, and Washington from High to Church.

#### **Administrative Reports**

Mayor Handwerk: About 740 council meetings and nearly as many utility board meetings come to an end tonight. Asked to complete a term on Ward 3 council and ran for another 4 year term. It was then he ran for council president for 3 terms or 12 years. After 18 years on city council and about to retire from 32 years of teaching, he ran for mayor. Four terms later – 16 years – this was his last council meeting. Has worked with several different council members and city administration who all worked to make Orrville a better place and a great place to live. He is proud of the many projects have been completed over the years. And enjoyed working with the different council members, and city and utility employees. We have some great people working for Orrville. Thank you.

Safety-Service Dept. – Wheeler: Thanked the Mayor for his dedicated service to the city and for the opportunity to work with and for him for the past 15 years. Thanked Lorson and Mosley for their dedication and service to the community and wished everyone luck moving forward. Asked Chief Birkbeck to the podium.

Chief Birkbeck: We had some exciting news to share. In 2009 we had a part-time opening for a dispatcher. Dino Carozza was chief and Birkbeck was the captain in charge of dispatch. Cory Seiler interviewed. The interviewed changed to an interview for a police officer without having an open position. It was the best interview for police officer ever conducted. We created an opening for a part-time officer and contracted with Cory to pay for his academy. He's been Officer of the Year both within the city as well as for the County Crisis Intervention Team. Numerous individual accomplishments. He's probably going to be the youngest police chief in our history. Proud to introduce Cory Seiler as the new Police Chief.

Cory Seiler thanked Chief Birkbeck for his 32 years of service to the citizens of Orrville and our police department. The best leader to work under. The technology that was implemented and the officer wellness program to ensure officers are taken care of doing a tough job. Thanked administration for this opportunity. Looking forward to working with everyone. And thanked his family for their sacrifices.

Utility Director Brediger: Next Wednesday we will receive a large transformer on a 135 ft. trailer at 120,000 pounds to be placed at a substation behind the J. M. Smucker Company. And thanked Mayor Handwerk for his years of service as his third mayor to work with. He is by far the most engaged mayors we have had especially on the legislative side. Wished him luck on his retirement.

Finance Director Strimlan: Recognized council, especially Lorson and Mosley for your support this and previous years. Thanked Mayor Handwerk. It has been a privilege to be part of his administration for the past 15 years. We've navigated some challenging times and completed over \$38 million in capital projects for the city, maintained strong fund balances, and believe he leaves the city well positioned for the future. Requested a motion to approve the October and November fund balance reports subject to audit. Mosley moves to approve; Lorson seconded. All ayes; motion passes.

Law Director Kirkbride: Echoes the comments and sentiments of the others. Has worked here 12 years, it's been an honor and privilege to work with the administration and Chief Birkbeck. Look forward to working with the new chief. There cannot possibly be another mayor that is as dedicated and is concerned for the citizenry, for the city, as she has told many people that over the years.

#### **Old Business**

**Resolution 41-23**, Lorson moved that it be placed on third reading. Carr seconded. Roll call vote; all ayes; motion passes. **Resolution 41-23**, A Resolution to make appropriations for current expenses and other expenditures of the City of Orrville, State of Ohio, during the fiscal year ending December 31, 2024, and declaring an emergency.

Discussion: This is the 2024 temporary appropriations, the same as the 2024 budget. These are identical to the budget that was passed by council in June. This takes us through March 31<sup>st</sup> for spending.

Lorson moved that **Resolution 41-23** be adopted as read. Squirrell seconded. Roll call vote; all ayes; motion carried.

**Ordinance L-23**, Lorson moved that it be placed on second reading. Shanklin seconded. Roll call vote; all ayes; motion passes. **Ordinance L-23**, An Ordinance repealing and replacing Section 505.19 of the Codified Ordinances of the City of Orrville, Ohio, regarding housing of certain animals.

Discussion: This is a controversial piece that should go to third reading. With new council coming on next meeting, we may not want it on third reading at the next meeting to allow them to acclimate themselves.

#### **New Business**

**Resolution 45-23**, Lorson moved that it be placed on first reading. Squirrell seconded. Roll call vote; all ayes; motion passes. **Resolution 45-23**, A Resolution imposing an immediate moratorium on the issuance and processing of permits allowing retail dispensaries, cultivators, or processors of adult use marijuana within the City of Orrville, Ohio, and declaring an emergency.

Discussion: This is adult use marijuana with the Issue 2 that just passed and went into effect December 7<sup>th</sup>. This addresses the commercial aspect, the dispensaries, the operations, the sale, and where they can be located. . This will allow us time to learn about the changes, what we can and can't do. The Ohio legislature is going to do more with this. There may be further revisions and refining of the law. This will give us time to establish zoning on where these dispensaries may be located and learn of unique issues may be with these businesses. There may be a large amount of cash which may impact public safety. This gives us a year to see where the law lands, determine zoning and any other collateral considerations we need to know or understand. Current zoning does not address these as previously they were not permitted.

Lorson moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate days be suspended. Shanklin seconded. Roll call vote; all yeas; motion carried. Lorson moved that **Resolution 45-23** be adopted as read. Carr seconded. Roll call vote; all ayes; motion carried.

**Resolution 46-23**, Lorson moved that it be placed on first reading. Handwerk seconded. Roll call vote; all ayes; motion passes. **Resolution 46-23**, A Resolution to make appropriations for current expenses and other expenditures of the City of Orrville, State of Ohio, during the fiscal year ending December 31, 2023, and declaring an emergency.

Discussion: This is an amendment to the 2023 final appropriations, the last change of the year. An addition of \$10,000 to the deposit escrow fund for a property on Westwood that sustained fire damage. The ORC requires the insurance company of the property

Lorson moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate days be suspended. Shanklin seconded. Roll call vote; all yeas; motion carried. Lorson moved that **Resolution 46-23** be adopted as read. Squirrell seconded. Roll call vote; all ayes; motion carried.

**Resolution 47-23**, Lorson moved that it be placed on first reading. Handwerk seconded. Roll call vote; all ayes; motion passes. **Resolution 47-23**, A Resolution of the Council of the City of Orrville, Ohio expressing its appreciation and thanks to David T. Handwerk, Mayor of the City of Orrville, Ohio upon his retirement.

Discussion: Mosely made a motion to have the resolution read in full. Seconded by Shanklin. All ayes. Resolution was read in full. Mayor thanked them.

Lorson moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate days be suspended. Squirrel seconded. Roll call vote; all yeas; motion carried. Lorson moved that **Resolution 47-23** be adopted as read. Carr seconded. Roll call vote; all yeas; motion carried.

Lorson: As he exits council after 9 years, he thanked everyone that showed up tonight. Thanked the directors for their expertise. The council, it has been a huge pleasure. Mosley took it on and worked hard at this job.

Mosley: This council kept a good relationship with the administration. This group taught teamwork and how to get things done for the community that didn't even look possible. Learning learned a lot about government and politics. We have a good strong mayor coming in. Happy to see the administration is going to look the same. Orrville will move forward.

Squirrell: Thanked Mayor Handwerk. When her son was a young Boy Scout he came and interviewed the mayor, and had a positive impact on his life. Mosley was a good mentor to her son. She wished everyone the best.

Mayor-Elect Plybon: Thanked Lorson and Mosely for their service. Thanked new council members Davies and Lax joining the team and the new chief. Thanked Mayor Handwerk for his city leadership, setting the bar high for 16 years. And for the past years they spent together as student/teacher, student/coach, and teacher/teacher. Has made Orrville a better place for years to come.

Handwerk: Adding to the other comments, tonight he calls him Dad. He gives everyone the time of day. Service (34+ years) teaching, coaching, a parent attending their sports events. Leadership, we need a lot more of that. His track record speaks of leadership. Father figure and coach.

Aspiras: Thanked Mayor, Mosley, Lorson and Chief Birkbeck for their service. It is good to focus on the positives and work together to affect change, anything is possible. Challenged the newcomers to do the same.

Lorson moved to adjourn the council meeting; Mosley seconded. All ayes; motion passes. Our next regular meeting will be January 2, 2024. Meeting adjourned at 9:07 pm.

Paul Vance, President of Council