

## **CITY COUNCIL AGENDA**

**October 15, 2012**

**7:30 p.m.**

The meeting will be held at City Hall, in Council Chambers, 1<sup>st</sup> Floor, 538 N. Market Street, Wooster, Ohio.

### **I. ROLL CALL & ORDERING OF AGENDA**

### **II. APPROVAL OF MINUTES**

### **III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION**

### **IV. PETITIONS/COMMUNICATIONS FROM PUBLIC**

### **V. COMMITTEE REPORTS; PUBLIC HEARINGS**

### **VI. OLD BUSINESS**

### **VII. NEW BUSINESS**

1. First Reading - ORDINANCE NO. 2012-26 AUTHORIZING THE MAYOR TO ENTER INTO A PREANNEXATION AGREEMENT WITH CERTAIN PROPERTY OWNERS FOR THE PURPOSE OF FACILITATING THE ANNEXATION AND EXTENSION OF UTILITY SERVICES TO THOSE PROPERTIES, AND DECLARING AN EMERGENCY (Sanders)
  
2. First Reading - ORDINANCE NO. 2012-27 AMENDING CHAPTER 539, PARK REGULATIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, TO BRING CERTAIN PROVISIONS IN-LINE WITH RECENT OHIO SUPREME COURT CASE LAW, AND DECLARING AN EMERGENCY (Knapic)
  
3. First Reading - AMENDED RESOLUTION NO. 2012-94 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT(S) FOR SEASONAL TEMPORARY SERVICES (Ansel)
  
4. First Reading - RESOLUTION NO. 2012-96 AUTHORIZING THE DIRECTOR OF FINANCE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH REA & ASSOCIATES, INC. FOR AUDITING SERVICES, AND DECLARING AN EMERGENCY (Ansel)

### **VIII. MISCELLANEOUS**

### **IX. ADJOURNMENT**



ORDINANCE NO. 2012-27

AN ORDINANCE AMENDING CHAPTER 539, PARK REGULATIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF WOOSTER, OHIO, TO BRING CERTAIN PROVISIONS IN-LINE WITH RECENT OHIO SUPREME COURT CASE LAW, AND DECLARING AN EMERGENCY

WHEREAS, the Supreme Court of Ohio recently decided two cases, the holdings of which declared that a state statute providing that only federal or state regulations could limit an Ohioan's individual right to bear arms was a "general law" that displaced municipal firearm ordinances and did not unconstitutionally infringe on municipal home-rule authority; and

WHEREAS, the penalty for a violation thereof includes the potential for an award of costs and attorney fees to any party challenging such an ordinance, such that it is advisable to amend or repeal any such Wooster ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1. That Chapter 539, Park Regulations, of the Codified Ordinances of the City of Wooster, Ohio is hereby amended at Section 539.03, FIREARMS, FIREWORKS, EXPLOSIVES, BOWS AND ARROWS, to read as follows:

539.03 ~~FIREARMS, FIREWORKS, EXPLOSIVES, BOWS AND ARROWS.~~

(a) No person, ~~except a law enforcement officer,~~ shall carry ~~firearms of any description, or~~ ~~an~~ air or gas gun, slingshot or missile-throwing device within any park or building, or discharge any ~~firearm,~~ firework, explosive, or air or gas gun in any park or building; ~~provided that this section shall not apply to the discharge or possession of a firearm for show or memorial purposes where no projectile is discharged, and for which the Director of Administration has issued a permit.~~

- (b) [No change]
- (c) [No change]

SECTION 2. This Council finds and declares that all formal actions concerning and relating to the adoption of this Resolution occurred in an open meeting of this Council or its committees, in compliance with law.

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, peace, safety and welfare of the City, or providing for the usual daily operation of a municipal department or division, and for the further reason that prompt action is necessary to implement this amended ordinance in order to bring a local ordinance in-line with Ohio Supreme Court case law; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor, provided it receives the affirmative vote of at least three-fourths of the members of Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1st reading \_\_\_\_\_ 2nd reading \_\_\_\_\_ 3rd reading \_\_\_\_\_

Passed: \_\_\_\_\_, 2012 Vote: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council President of Council

Approved: \_\_\_\_\_, 2012  
Mayor

Introduced by: Barbara A. Knapic





**Request for Agenda Item  
Non-Capital**

**Division**  **Meeting Date Requested**

**Project Name**   **Approved for Agenda**

**Description** (be as descriptive as possible, given space limitations)

Auditor of State Dave Yost has authorized a 1-year extension with REA & Associates for the City's 2012 financial audit. This will be their tenth and final year.

An audit is required. It is also best business practice for an organization with ~ \$139,000,000 in revenues and ~ \$255,000,000 in net assets. An audit aids in accountability and transparency as well.

The price of the audit is the same as last year (\$83,475). That represents a 0.00% increase over last year. The latest consumer price index (CPI) data from the Bureau of Labor Statistics indicated that for the twelve months ended August 31, 2012 CPI increased 1.7%

The City's share of this cost is \$47,746. The hospital's share is \$36,729.

**Is there a need for rules suspension or time limitation when this must be passed?**

**Manager Requesting**

**Date**

**Approved for Agenda**

*Res #96*