

MAUMEE CITY COUNCIL  
MINUTES  
Monday, August 21, 2023 at 6:15 pm

The Council of the City of Maumee, Ohio met on the above date in Council Chambers with the following members present: James MacDonald, Scott Noonan, Margo Puffenberger, Gabriel Barrow, Jon Fiscus, and Josh Harris (6). Council Member Philip Leinbach had an excused absence.  
Mayor Richard H. Carr presiding.

Roll Call: James MacDonald, Scott Noonan Margo Puffenberger, Gabriel Barrow, Jon Fiscus, and Josh Harris.

Mr. MacDonald moved to enter Executive Session to discuss pending litigation at 6:17 p.m.  
Mr. Barrow seconded the motion.  
Roll call: 6 voting yea, the Chair declared the motion carried.

Mr. Fiscus moved to exit Executive Session at 6:46 p.m.  
Mr. Barrow seconded the motion.  
Roll call: 6 voting yea, the Chair declared the motion carried.

#### COMMITTEE OF THE WHOLE

#### CITIZEN COMMENTS

Mr. Noonan moved to amend Item 12A, to include payday loan lenders to the temporary moratorium in Resolution 014-2023.  
Mr. Barrow seconded the motion.  
Roll call: 6 voting yea, the Chair declared the motion carried.

Mr. Barrow moved to amend Item 12A, to include cash for gold and pawn shops to the temporary in Resolution 014-2023.  
Mr. Noonan seconded the motion.  
Roll call: 6 voting yea, the Chair declared the motion carried.

Mrs. Puffenberger moved to adopt the agenda as presented.  
Mr. Harris seconded the motion.  
Roll call: 6 voting yea, the Chair declared the motion carried.

Mr. Fiscus moved to approve the minutes of the regular meeting of July 10, 2023, and special meeting of August 7, 2023.  
Mr. Barrow seconded the motion.  
Roll call: 6 voting yea, the Chair declared the motion carried.

#### PETITIONS & COMMUNICATIONS: None

Mr. MacDonald moved to approve the Consent Calendar as presented.  
Mrs. Puffenberger seconded the motion.  
Roll call: 6 voting yea, the Chair declared the motion carried.

#### CONSENT CALENDAR:

- A. Approve economic development transfer forms for Ten Star Enterprises, Inc. dba Scramblers, located at 570 W. Dussel Drive, to allow transfer of a D2 and D3 liquor permit to said location, and authorize Mayor to sign said application.
- B. Approve Public Safety Facilities Fee Schedule as presented for the purpose of reflecting updated costs for operating and maintaining the facilities.
- C. Declare the Maumee Indoor Theater projection system #1 & #2 and ticketing system as surplus.
- D. Authorize a contract with Geddis Paving & Excavating, Inc. in the amount of \$453,119.00 for the Ford Field Parking Lot Replacement project, and authorize City Administrator to effectuate the contract.

#### OTHER BUSINESS: None

#### NEW BUSINESS:

Mr. Barrow moved to approve Resolution 014-2023, imposing a temporary moratorium on the establishment, development and construction of any building, structure, use or change of use that would allow additional discount retail locations or liquidation stores in the City of Maumee for a period not to exceed eighteen (18) months from the effective date of this resolution in order to allow the City Administration and City Council time to review applicable Ohio statutes, codes and regulations along with the City's codified ordinances relative to such activity, and declaring an emergency.

Mr. Fiscus seconded the motion.

Roll call: 6 voting yea, the Chair declared the motion carried.

Mr. Harris moved to approve Resolution 015-2023, imposing a temporary moratorium on the establishment, development and construction of any building, structure, use or change of use that would enable the processing, or retail sale of tobacco, CBD and/or vape products for a period not to exceed eighteen (18) months from the effective date of this resolution in order to allow the City Administration and City Council time to review applicable Ohio statutes, criminal codes and regulations along with the City's codified ordinances relative to such activity, and declaring an emergency.

Mr. MacDonald seconded the motion.

Roll call: 6 voting yea, the Chair declared the motion carried.

Mr. Harris moved to Approve Ordinance 023-2023, imposing a temporary moratorium on the establishment, development and construction of any building, structure, use or change of use that would enable the cultivation, processing, or retail sale of medical marijuana or marijuana for a period not to exceed twenty-four months from the effective date of this ordinance in order to allow the City Administration and City Council time to review applicable Ohio statutes, criminal codes and regulations along with the City's codified ordinances relative to such activity, and declaring an emergency.

Mr. Noonan seconded the motion.

Roll call: 6 voting yea, the Chair declared the motion carried.

Mr. Noonan moved to Approve Ordinance 024-2023, to amend Part 1 of the Administrative Code, Chapter 101, of the Maumee Codified Ordinances, updating definitions and other provisions that apply to the Maumee Municipal Code, and waive the three readings.

Mr. Fiscus seconded the motion.

Roll call: 6 voting yea for the ordinance, the Chair declared the motion carried.

Mr. Fiscus moved to approve Ordinance 025-2023, to amend Chapter 113 of the Maumee Codified Ordinances, in order to update the requirements for the City of Maumee as to posting of legislation and other notices, and declaring an emergency.

Mrs. Puffenberger seconded the motion.

Roll call: 6 voting yea, the Chair declared the motion carried.

Mr. Barrow moved to approve Ordinance 026-2023, amending Chapter 103 of the Maumee Codified Ordinances, updating the requirements for contracts within the City of Maumee to comply with new Ohio Revised Code (ORC) regulations, and declaring an emergency.

Mr. MacDonald seconded the motion.

Roll call: 6 voting yea, the Chair declared the motion carried.

Mrs. Puffenberger moved to approve Ordinance 027-2023, levying special assessments for the property owners' share of the cost of lighting the streets and public ways in the City of Maumee, Ohio, and declaring an emergency.

Mr. Harris seconded the motion.

Roll call: 6 voting yea, the Chair declared the motion carried.

Mr. Noonan moved to approve Ordinance 028-2023, levying assessments for cutting of noxious weeds, and declaring an emergency.

Mr. Barrow seconded the motion.

Roll call: 6 voting yea, the Chair declared the motion carried.

Mr. MacDonald moved to approve Ordinance 029-2023, repealing Ordinance 062-2022 and authorizing an amended procurement, capital and purchasing requirements for the City of Maumee, and declaring an emergency

Mr. Fiscus seconded the motion.

Roll call: 6 voting yea, the Chair declared the motion carried.

Mr. Barrow moved to approve Ordinance 030-2023, amending Maumee Codified Ordinance 1133.01 of the Maumee Codified Ordinances, updating the requirements for accessory structures within the City of Maumee, and declaring an emergency.

Mrs. Puffenberger seconded the motion.

Roll call: 6 voting yea, the Chair declared the motion carried.

COUNCIL COMMENTS

Legislation was considered at this time.

RESOLUTION NO. 014 – 2023

A RESOLUTION, IMPOSING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT, DEVELOPMENT AND CONSTRUCTION OF ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ALLOW ADDITIONAL DISCOUNT RETAIL LOCATIONS OR LIQUIDATION STORES IN THE CITY OF MAUMEE FOR A PERIOD NOT TO EXCEED EIGHTEEN (18) MONTHS FROM THE EFFECTIVE DATE OF THIS RESOLUTION IN ORDER TO ALLOW THE CITY ADMINISTRATION AND CITY COUNCIL TIME TO REVIEW APPLICABLE OHIO STATUTES, CODES AND REGULATIONS ALONG WITH THE CITY'S CODIFIED ORDINANCES RELATIVE TO SUCH ACTIVITY, AND DECLARING AN EMERGENCY.

The Resolution was read by title only.

Mr. BARROW moved the resolution be passed as an emergency measure. Roll call: MacDonald, Noonan, Puffenberger, Barrow, Fiscus, and Harris (6) voting yea; nays, none.

Mr. BARROW moved the resolution be placed on its final passage and passed. Roll call: MacDonald, Noonan, Puffenberger, Barrow, Fiscus, and Harris (6) voting yea; nays, none.

RESOLUTION NO. 015 – 2023

A RESOLUTION IMPOSING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT, DEVELOPMENT AND CONSTRUCTION OF ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE PROCESSING, OR RETAIL SALE OF TOBACCO, CBD AND/OR VAPE PRODUCTS FOR A PERIOD NOT TO EXCEED EIGHTEEN (18) MONTHS FROM THE EFFECTIVE DATE OF THIS RESOLUTION IN ORDER TO ALLOW THE CITY ADMINISTRATION AND CITY COUNCIL TIME TO REVIEW APPLICABLE OHIO STATUTES, CRIMINAL CODES AND REGULATIONS ALONG WITH THE CITY'S CODIFIED ORDINANCES RELATIVE TO SUCH ACTIVITY, AND DECLARING AN EMERGENCY.

The Resolution was read by title only.

Mr. HARRIS moved the resolution be passed as an emergency measure. Roll call: MacDonald, Noonan, Puffenberger, Barrow, Fiscus, and Harris (6) voting yea; nays, none.

Mr. HARRIS moved the resolution be placed on its final passage and passed. Roll call: MacDonald, Noonan, Puffenberger, Barrow, Fiscus, and Harris (6) voting yea; nays, none.

ORDINANCE NO. 023 – 2023

AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT, DEVELOPMENT AND CONSTRUCTION OF ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, OR RETAIL SALE OF MEDICAL MARIJUANA OR MARIJUANA FOR A PERIOD NOT TO EXCEED TWENTY-FOUR MONTHS FROM THE EFFECTIVE DATE OF THIS ORDINANCE



