

# Revised AGENDA

## March 16, 2021

### Wadsworth City Council

Regular Meeting of the Wadsworth City Council, Tuesday, March 2, 2021, at 5:00 p.m., to be held through means of both in-person and electronic video conferencing, and broadcast live on CityLink channels 17 & 329 and on Spectrum channel 1024. The meeting also streams live on [www.WatchWCTV.com](http://www.WatchWCTV.com) and can be watched there "on demand" at a later time.

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Roll Call
5. Approval of City Council Minutes:
  - Regular Meeting of March 2, 2021 and Special Meeting of March 11, 2021

6. Correspondence
7. **Executive Session: Purchase of Property**

8. **READING OF LEGISLATION:**

**ORDINANCE NO. 21-015 (1<sup>st</sup> RDG.): AN ORDINANCE TO AUTHORIZE THE DRAWING OF A WARRANT IN AN AMOUNT NOT TO EXCEED \$12,972.00 FOR THE PAYMENT OF THE AMOUNT DUE UPON A CONTRACT WITH MEDINA COUNTY EMERGENCY MANAGEMENT AGENCY AND TO DECLARE AN EMERGENCY**

- Sponsored by President of Council Bob Thurber

**ORDINANCE NO. 21-016 (1<sup>st</sup> RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR AND RECEIVE BIDS AND ENTER INTO A CONTRACT FOR TREE TRIMMING AND TREE REMOVAL FOR ELECTRIC LINE CLEARANCE AND DECLARING AN EMERGENCY**

- Sponsored by Council Member Bruce Darlington

**RESOLUTION NO. 21-06 (1<sup>st</sup> RDG.): A RESOLUTION DECLARING THE NECESSITY OF REPAIRING, REPLACING OR CONSTRUCTING CERTAIN SIDEWALKS IN THE CITY OF WADSWORTH, REQUIRING THAT ABUTTING PROPERTY OWNERS REPAIR, REPLACE OR CONSTRUCT SAME AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee March 15, 2021, with recommendation to suspend the three reading rule

**ORDINANCE NO. 21-014 (3<sup>rd</sup> RDG.): AN ORDINANCE TO AMEND SECTION 76.11 OF THE CODIFIED ORDINANCES OF THE CITY OF WADSWORTH TO ADD DURING HOURS OF OPERATION IN PUBLIC PARKS AND TO DECLARE AN EMERGENCY**

- Sponsored by Council Member Ralph Copley
- Forwarded by Public Safety Committee February 16, 2021

9. Other Business
10. Recess or Adjournment

**ORDINANCE NO. 21-015**  
**Sponsored by President of Council Bob Thurber**

**AN ORDINANCE TO AUTHORIZE THE DRAWING OF A WARRANT IN AN AMOUNT NOT TO EXCEED \$12,972.00 FOR THE PAYMENT OF THE AMOUNT DUE UPON A CONTRACT WITH MEDINA COUNTY EMERGENCY MANAGEMENT AGENCY AND TO DECLARE AN EMERGENCY**

**WHEREAS**, a contract was entered into by an officer or employee of the City of Wadsworth with Medina County Emergency Management Agency without an attached certificate of the fiscal officer of the City of Wadsworth as required by section 5705.41(D)(1) of the Ohio Revised Code, and

**WHEREAS**, the Auditor of the City of Wadsworth (the fiscal officer) has presented to the Council of the City of Wadsworth a certificate that there was at the time of the making of the aforesaid contract and at the time of the execution of such certificate, a sufficient sum appropriated for the purpose of such contract and in the treasury or in the process of collection to the appropriated funds free from any previous encumbrances, and that the expenditures will be valid if authorized by the city council as the taxing authority within thirty days from the receipt of the certificate, and

**WHEREAS**, this Council finds that payment should be authorized as to this contract, **NOW THEREFORE**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:**

**Section 1.** That pursuant to section 5704.41(D)(1) of the Ohio Revised Code, this Council, based on the certificate received from the Auditor of the City of Wadsworth (the fiscal officer) does hereby authorize the drawing of warrant in payment of an amount not to exceed \$12,972.00 due upon the contract with Medina County Emergency Management Agency entered into without an attached certificate of the fiscal officer of the City of Wadsworth.

**Section 2.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the City of Wadsworth in order to pay without undue delay for services and products received by the City of Wadsworth; **WHEREFORE**, this ordinance shall go into immediate effect.

Passed: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_

Clerk of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

1<sup>st</sup> Rdg. \_\_\_\_\_

2<sup>nd</sup> Rdg. \_\_\_\_\_

3<sup>rd</sup> Rdg. \_\_\_\_\_

Passed: yes \_\_\_\_\_ no \_\_\_\_\_

Vote: aye \_\_\_\_\_ nay \_\_\_\_\_

Immediate Effect: yes \_\_\_\_\_ no \_\_\_\_\_

**\*\*\* CERTIFICATE \*\*\***

**O.R.C. 5705.41(D) (1)**

RE: Medina County Emergency Management Agency in the amount of \$12,972.00

As the fiscal officer of the City of Wadsworth, Ohio, I certify that there was at the time of the making of such above referenced contract or order and at the time of the execution of this certificate a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances, and that the expenditure will be valid if authorized by the city council as the taxing authority within thirty days from the receipt of this certificate.



  
\_\_\_\_\_  
Catherine Fix, Auditor

Date Signed: March 4, 2021

**ORDINANCE NO. 21-016**  
**Sponsored by Council Member Bruce Darlington**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR AND RECEIVE BIDS AND ENTER INTO A CONTRACT FOR TREE TRIMMING AND TREE REMOVAL FOR ELECTRIC LINE CLEARANCE AND DECLARING AN EMERGENCY**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:**

**Section 1.** That the Director of Public Service is hereby authorized and directed to advertise for and receive bids and to enter into a contract for tree trimming and tree removal for electric line clearance as to distribution lines within the area designated by the Director of Public Service as Section 2 (Distribution) and as to transmission lines within the area designated by the Director of Public Service as Section T2.

**Section 2.** That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.

**Section 3.** That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety in the City of Wadsworth in order to expedite the removal of trees or portions of trees that need to be removed for the safe, reliable and efficient operation of the City of Wadsworth Electric Utility; WHEREFORE, this ordinance shall go into immediate effect provided it receives a two thirds vote of all members of city council. If it receives approval by a majority of the members but less than a two-thirds vote, then it shall be effective at the earliest time permitted by law.

Passed: \_\_\_\_\_  
President of Council

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

Approved: \_\_\_\_\_  
Mayor

1<sup>st</sup> Rdg. \_\_\_\_\_ 2<sup>nd</sup> Rdg. \_\_\_\_\_  
3<sup>rd</sup> Rdg. \_\_\_\_\_ Passed: yes \_\_\_\_\_ no \_\_\_\_\_  
Vote: aye \_\_\_\_\_ nay \_\_\_\_\_ Immediate Effect: yes \_\_\_\_\_ no \_\_\_\_\_

CERTIFICATE OF PUBLICATION

I, Tammy L. Guenther, Clerk of Council of the City of Wadsworth, State of Ohio, do hereby certify that the forgoing ordinance was duly published in the *Medina Gazette* and at <http://publicnoticesohio.com/> on \_\_\_\_\_ and \_\_\_\_\_, which is for two consecutive weeks as required by section 731.21 of the Ohio Revised Code.

\_\_\_\_\_  
Tammy L. Guenther  
Clerk of Council, City of Wadsworth

**RESOLUTION NO. 21-06**  
**Sponsored by Council Member David Williams**

**A RESOLUTION DECLARING THE NECESSITY OF REPAIRING, REPLACING OR CONSTRUCTING CERTAIN SIDEWALKS IN THE CITY OF WADSWORTH, REQUIRING THAT ABUTTING PROPERTY OWNERS REPAIR, REPLACE OR CONSTRUCT SAME AND DECLARING AN EMERGENCY**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:**

**Section 1.** That it is necessary to repair, replace or construct sidewalks in the City of Wadsworth in accordance with plans, specifications and estimates of cost therefore prepared by the City Engineer and now on file in the office of the Clerk of Council for sidewalks in the City and better described in Schedule A attached to this resolution and included herein by reference denoting the addresses for such sidewalk repair, replacement or construction location.

**Section 2.** That the owners of all lots and lands bounding and abutting upon such sidewalks shall repair, replace or construct such sidewalks in accordance with the plans and specifications now on file, for such sidewalks abutting their respective properties by July 16, 2021; and if, such repair, replacement or construction shall not be completed by July 16, 2021, then this Council shall have the same done and the entire cost thereof shall be assessed upon the property of each defaulting owner and made a lien thereon to be collected in the manner provided by law, with penalty and interest as provided by law.

**Section 3.** That the Clerk of this Council is directed to cause a written notice of the passage of this resolution to be served on such property owners as required by law.

**Section 4.** That the plans, specifications and estimates of cost for said repair, replacement or construction of such sidewalks as heretofore filed are hereby approved.

**Section 5.** That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety and welfare in the City of Wadsworth in order to expedite the improvement of unsafe sidewalk; WHEREFORE, this ordinance shall go into immediate effect provided that it receives a two thirds vote of all members of city council. If it receives approval by a majority of the members but less than a two-thirds vote, then it shall be effective at the earliest time permitted by law.

Passed: \_\_\_\_\_

\_\_\_\_\_  
President of Council

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

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

1<sup>st</sup> Rdg. \_\_\_\_\_  
3<sup>rd</sup> Rdg. \_\_\_\_\_  
Vote: aye \_\_\_\_\_ nay \_\_\_\_\_

2<sup>nd</sup> Rdg. \_\_\_\_\_  
Passed: yes \_\_\_\_\_ no \_\_\_\_\_  
Immediate Effect: yes \_\_\_\_\_ no \_\_\_\_\_

CERTIFICATE OF PUBLICATION

I, Tammy L. Guenther, Clerk of Council of the City of Wadsworth, State of Ohio, do hereby certify that the forgoing ordinance was duly published in the *Medina Gazette* and at <http://publicnoticesohio.com> on \_\_\_\_\_ and \_\_\_\_\_ which is for two consecutive weeks as required by section 731.21 of the Ohio Revised Code.

\_\_\_\_\_  
Tammy L. Guenther  
Clerk of Council  
City of Wadsworth