

# REVISED AGENDA

*April 6, 2021*

Wadsworth City Council

Regular Meeting of the Wadsworth City Council, Tuesday, April 6, 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 16, 2021*
6. Correspondence
7. READING OF LEGISLATION:

**ORDINANCE NO. 21-017 (1<sup>st</sup> RDG.): AN ORDINANCE TO AUTHORIZE THE DRAWING OF A WARRANT IN AN AMOUNT NOT TO EXCEED \$6,436.67 FOR THE PAYMENT OF THE AMOUNT DUE UPON A CONTRACT WITH ROTO-ROOTER AND TO DECLARE AN EMERGENCY**

- Sponsored by President of Council Bob Thurber

**ORDINANCE NO. 21-018 (1<sup>st</sup> RDG.): AN ORDINANCE ACCEPTING PUBLIC RIGHT OF WAY FOR TREASE ROAD AND PUBLIC EASEMENTS AS SHOWN ON THE REPLAT OF CITY OF WADSWORTH LOTS 4430, 4431 AND 5568 AS APPROVED BY THE PLANNING COMMISSION ON MARCH 8, 2021 AND DECLARING AN EMERGENCY**

- Sponsored by Council Member Thomas Stugmyer
- Discussed at Economic Development & Planning Committee April 5, 2021

**ORDINANCE NO. 21-019 (1<sup>st</sup> RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE MED-CR16-06 SEVILLE ROAD RESURFACING PROJECT AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee April 5, 2021

**ORDINANCE NO. 21-020 (1<sup>st</sup> RDG.): AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT OF COOPERATION WITH BOARD OF COMMISSIONERS OF THE COUNTY OF MEDINA FOR THE RESURFACING OF MED-CR16-06.08 (SEVILLE ROAD) FROM STATE STREET TO S.R. 94 IN WADSWORTH CITY, AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee April 5, 2021

**ORDINANCE NO. 21-021 (1<sup>st</sup> RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO SELL ONE 2006 JACOBSEN HR 511 MOWER WITH ESTIMATED VALUE OF ONE THOUSAND DOLLARS OR MORE BY THE METHOD SET FORTH IN SECTION 721.15 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee April 5, 2021

**ORDINANCE NO. 21-022 (1<sup>st</sup> RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) ANNUAL ROAD SALT BID IN ACCORDANCE WITH DIVISION (B) OF SECTION 5513.01 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY**

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee April 5, 2021

**ORDINANCE NO. 21-023 (1<sup>st</sup> RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A RENEWAL OF THE FRANCHISE AGREEMENT AS SET FORTH BY ORDINANCE NO. 20-037 WITH FLIGHT SERVICES OF WADSWORTH LLC AND DECLARING AN EMERGENCY**

Sponsored by Council Member David Williams

- Discussed by the Airport Commission March 30, 2021
- Forwarded by Public Ways Committee April 5, 2021, with recommendation to suspend the three reading rule
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8. Other Business

9. Recess or Adjournment

**ORDINANCE NO. 21-017**  
**Sponsored by President of Council Bob Thurber**

**AN ORDINANCE TO AUTHORIZE THE DRAWING OF A WARRANT IN AN AMOUNT NOT TO EXCEED \$6,436.67 FOR THE PAYMENT OF THE AMOUNT DUE UPON A CONTRACT WITH ROTO-ROOTER AND TO DECLARE AN EMERGENCY**

**WHEREAS**, a contract was entered into by an officer or employee of the City of Wadsworth with Roto-Rooter 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 \$6,436.67 due upon the contract with Roto-Rooter 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. \_\_\_\_\_  
3<sup>rd</sup> Rdg. \_\_\_\_\_  
Vote: aye \_\_\_\_\_ nay \_\_\_\_\_

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

**ORDINANCE NO. 21-018**  
**Sponsored by Council Member Thomas Stugmyer**

**AN ORDINANCE ACCEPTING PUBLIC RIGHT OF WAY FOR TREASE ROAD AND PUBLIC EASEMENTS AS SHOWN ON THE REPLAT OF CITY OF WADSWORTH LOTS 4430, 4431 AND 5568 AS APPROVED BY THE PLANNING COMMISSION ON MARCH 8, 2021 AND DECLARING AN EMERGENCY**

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

**Section 1.** That this Council hereby accepts public right of way for Trease Road and public easements as shown on the Replat of City of Wadsworth Lots 4430, 4431 and 5568, as approved by the Planning Commission on March 8, 2021.

**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 promote economic development; 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. \_\_\_\_\_

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

**ORDINANCE NO. 21-019**  
**Sponsored by Council Member David Williams**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE MED-CR16-06 SEVILLE ROAD RESURFACING PROJECT 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, receive bids for and to enter into a contract for the MED-CR16-06 Seville Road Resurfacing Project in accordance with plans and specifications on file in the office of the Director of Public Service. The total price to be awarded pursuant to said contract shall not exceed \$293,584. If it becomes necessary after the contract is entered into, to authorize change orders, such change orders may be authorized so long as the total financial obligation of the city pursuant to the contract including change orders does not exceed the awarded bid amount plus ten percent of the awarded bid amount.

**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 construction of a new culvert and guardrail installation; 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. \_\_\_\_\_  
3<sup>rd</sup> Rdg. \_\_\_\_\_  
Vote: aye \_\_\_\_\_ nay \_\_\_\_\_

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

**ORDINANCE NO. 21-020**  
**Sponsored by Council Member David Williams**

**AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT OF COOPERATION WITH BOARD OF COMMISSIONERS OF THE COUNTY OF MEDINA FOR THE RESURFACING OF MED-CR16-06.08 (SEVILLE ROAD) FROM STATE STREET TO S.R. 94 IN WADSWORTH CITY, AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Wadsworth recognizes the need for resurfacing of MED-CR16-06.08 (Seville Road) from State Street to S.R. 94 (hereinafter "the Project"), and;

**WHEREAS**, the Northeast Ohio Areawide Coordinating Agency (NOACA), by letter dated October 17, 2019, has agreed to provide NOACA controlled federal funding for 80% of eligible construction costs for the project; and

**WHEREAS**, the City of Wadsworth shall prepare the necessary agreement of cooperation for the PROJECT between Medina County and Wadsworth City and that the agreement of cooperation will specify the portion of the cost of the Project to be borne by each agency; NOW, THEREFORE:

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:**ection 1. That the Mayor and the Director of Public Service are hereby authorized and directed to enter into an agreement of cooperation between the City of Wadsworth and the Board of County Commissioners of Medina County, in the matter of the project.

Section 2. That the City of Wadsworth shall participate with the Board of County Commissioners of Medina County in the cost of the project in accordance with the agreement of cooperation in an amount not to exceed \$55,000.

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 because of the need for expediting highway improvements to promote highway safety; 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. \_\_\_\_\_  
3<sup>rd</sup> Rdg. \_\_\_\_\_  
Vote: aye \_\_\_\_\_ nay \_\_\_\_\_

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

**ORDINANCE NO. 21-021**  
**Sponsored by Council Member David Williams**

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO SELL ONE 2006 JACOBSEN HR 511 MOWER WITH ESTIMATED VALUE OF ONE THOUSAND DOLLARS OR MORE BY THE METHOD SET FORTH IN SECTION 721.15 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Wadsworth municipal has one (1) 2006 Jacobsen HR 511 Mower with estimated value of one thousand dollars or more that is not needed for municipal purposes of the City of Wadsworth, and

**WHEREAS**, Section 721.15 of the Ohio Revised Code provides for authorization by the legislative authority of the municipal corporation for the sale of such items of personal property and prescribes the method for said sale, NOW THEREFORE

**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 to sell one (1) 2006 Jacobsen HR 511 Mower with estimated value of one thousand dollars or more by the method set forth in section 721.15 of the Ohio Revised Code. The 2006 Jacobsen HR 511 Mower to be sold has been determined by the Director of Public Service to not be needed for the municipal purposes of the City of Wadsworth. This authority is granted by this legislative authority based on the constitutional authority of the City of Wadsworth to operate a public utility pursuant to Section 4, Article XVIII of the Ohio Constitution.

**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 avoid the burden of keeping property no longer needed for municipal purposes and to obtain additional funds for use in providing public services; 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 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 <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

**ORDINANCE NO. 21-022**  
**Sponsored by Council Member David Williams**

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) ANNUAL ROAD SALT BID IN ACCORDANCE WITH DIVISION (B) OF SECTION 5513.01 OF THE OHIO REVISED CODE 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 to enter into an agreement with the Ohio Department of Transportation (ODOT) to participate in the Ohio Department of Transportation (ODOT) annual road salt bid in accordance with Division (B) of section 5513.01 of the Ohio Revised Code .

**Section 3.** 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 5.** 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 assure the availability of road salt for the 2021-2022 snow season at a reasonable price; 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**

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



**ORDINANCE NO. 21-023**

**Sponsored by Council Member David Williams**

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A RENEWAL OF THE FRANCHISE AGREEMENT AS SET FORTH BY ORDINANCE NO. 20-037 WITH FLIGHT SERVICES OF WADSWORTH LLC AND DECLARING AN EMERGENCY**

**WHEREAS**, this Council has determined to now grant a renewal to Flight Services of Wadsworth LLC to operate and maintain the Wadsworth Municipal Airport for one (1) year; **NOW THEREFORE**,

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

**SECTION 1.** The Director of Public Service is hereby authorized to enter into a renewal of the franchise agreement as set forth by Ordinance No. 20-037 with Flight Services of Wadsworth LLC to operate and maintain the Wadsworth Municipal Airport, for one (1) year in an amount not exceed \$78,000.00.

**SECTION 2.** This ordinance is hereby determined 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 provide a franchise for operation of the Wadsworth Municipal Airport to facilitate air transportation; **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