2nd REVISED AGENDA

April 21, 2020

Wadsworth City Council

Regular Meeting of the Wadsworth City Council, Tuesday, April 21, 2020, at 5:00 p.m., to be held through means of electronic video conferencing and can be seen LIVE on CityLink channels17 & 329 and on Spectrum channel 1024. The meeting will also stream LIVE on www.WatchWCTV.com:

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Roll Call
5. ***Temporary Modification of Council Rule No. 12***
6. *Reading of Legislation:*

ORDINANCE NO. 20-018 (1st 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 LINES CLEARANCE AND DECLARING AN EMERGENCY

- Sponsored by Council Member Bruce Darlington

ORDINANCE NO. 20-019 (1st RDG.): AN ORDINANCE AUTHORIZING THE TRANSFER OF THE RIGHTS AND OBLIGATIONS OF MEYERS INDUSTRIES INC. UNDER THE JOB CREATION GRANT PROGRAM AGREEMENT AUTHORIZED BY ORDINANCE NO. 15-051 AND AMENDED IN ORDINANCE NO. 16-078 FROM MEYERS INDUSTRIES INC. TO J&O PLASTICS INC. AND DECLARING AN EMERGENCY

- Sponsored by Council Member Thomas Stugmyer

ORDINANCE NO. 20-020 (1st RDG.): AN ORDINANCE AUTHORIZING THE TRANSFER OF THE RIGHTS AND OBLIGATIONS OF ERIE ISLAND LLC UNDER THE COMMUNITY REINVESTMENT AREA AGREEMENT AUTHORIZED BY ORDINANCE NO. 15-052 FROM ERIE ISLAND LLC TO J&O PLASTICS AND DECLARING AN EMERGENCY

- Sponsored by Council Member Thomas Stugmyer

ORDINANCE NO. 20-023 (1st RDG.): AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT WITH NDG REAL ESTATE LLC AND DECLARING AN EMERGENCY

- Sponsored by Council Member Thomas Stugmyer

ORDINANCE NO. 20-025 (1st RDG.): AN ORDINANCE AUTHORIZING THE EXISTENCE OF REAL AND PRESENT EMERGENCY IN CONNECTION WITH THE OPERATION AND MAINTENANCE OF THE DEPARTMENT OF PUBLIC SERVICE NECESSITATING AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH ADVANCED CONTROL SYSTEMS, INC. FOR THE PURCHASE OF SIX NTX-200 UPGRADES FOR THE EXISTING NTU-7550 RTUS WITHOUT FORMAL BIDDING AND ADVERTISING, AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO SUCH A CONTRACT WITHOUT FORMAL BIDDING AND ADVERTISING AND DECLARING AN EMERGENCY

- Sponsored by Council Member Bruce Darlington

ORDINANCE NO. 20-026 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE A CUES SEWER INSPECTION SYSTEM FROM M TECH COMPANY THROUGH PARTICIPATION IN AN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACT AND DECLARING AN EMERGENCY

- Sponsored by Council Member Bruce Darlington

RESOLUTION NO. 20-17 (1st RDG.): A RESOLUTION AUTHORIZING THE SALE OF VARIOUS ITEMS OF PERSONAL PROPERTY BY INTERNET AUCTION PURSUANT TO RESOLUTION 20-06 AND DECLARING AN EMERGENCY

- Sponsored by Council Member Bruce Darlington

7.. Recess or Adjournment

ORDINANCE NO. 20-018
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 LINES 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 lines clearance as to distribution lines within the area designated by the Director of Public Service as Section 1 (Distribution) and as to transmission lines within the area designated by the Director of Public Service as Section T1.

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

1st Rdg. _____ 2nd Rdg. _____
3rd 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. 20-019
Sponsored by Council Member Thomas Stugmyer

AN ORDINANCE AUTHORIZING THE TRANSFER OF THE RIGHTS AND OBLIGATIONS OF MEYERS INDUSTRIES INC. UNDER THE JOB CREATION GRANT PROGRAM AGREEMENT AUTHORIZED BY ORDINANCE NO. 15-051 AND AMENDED IN ORDINANCE NO. 16-078 FROM MEYERS INDUSTRIES INC. TO J&O PLASTICS INC. AND DECLARING AN EMERGENCY

WHEREAS, this Council on June 22, 2015 by its Ordinance 15-051 authorized the Mayor to enter into a Job Creation Grant Program agreement with Meyers Industries Inc., and

WHEREAS, this Council on September 6, 2016 by its Ordinance 16-078 authorized the Mayor to enter into an Amendment Job Creation Grant Program agreement with Meyers Industries Inc., and

WHEREAS, Meyers Industries Inc. has transferred its rights and obligations under the aforesaid Job Creation Grant Program agreement to J&O Plastics Inc. and this Council concludes that it is in the public interest to consent to said transfer, NOW THEREFORE

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

Section 1. That this Council hereby authorizes the transfer of the rights and obligations of Myers Industries Inc. under the Job Creation Grant Program agreement authorized by Ordinance 15-051 and Amended by Ordinance 16-078 from Meyers Industries Inc. to J&O Plastics Inc.

Section 2. That this Council finds and determines that all formal actions of this Council or of any of its committees concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and of any of its committees and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

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 promote economic development; WHEREFORE, this ordinance shall go into immediate effect.

Passed: _____ _____
President of Council

Attest: _____
Clerk of Council

Approved: _____ _____
Mayor

1st Rdg. _____ 2nd Rdg. _____
3rd Rdg. _____ Passed: yes_____ no_____
Vote: aye _____ nay _____ Immediate Effect: yes_____ no_____

ORDINANCE NO. 20-020
Sponsored by Council Member Thomas Stugmyer

AN ORDINANCE AUTHORIZING THE TRANSFER OF THE RIGHTS AND OBLIGATIONS OF ERIE ISLAND LLC UNDER THE COMMUNITY REINVESTMENT AREA AGREEMENT AUTHORIZED BY ORDINANCE NO. 15-052 FROM ERIE ISLAND LLC TO J&O PLASTICS AND DECLARING AN EMERGENCY

WHEREAS, this Council on June 22, 2015 by its Ordinance 15-052 authorized the Mayor to enter into a Community Reinvestment Area agreement with Erie Island LLC., and

WHEREAS, Erie Island LLC. has transferred its rights and obligations under the aforesaid Community Reinvestment Area agreement to J&O Plastics Inc. and this Council concludes that it is in the public interest to consent to said transfer, NOW THEREFORE

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

Section 1. That this Council hereby authorizes the transfer of the rights and obligations of Erie Island LLC under the Community Reinvestment Area agreement authorized by Ordinance 15-052 from Erie Island LLC to J&O Plastics Inc.

Section 2. That this Council finds and determines that all formal actions of this Council or of any of its committees concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and of any of its committees and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

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 promote economic development; WHEREFORE, this ordinance shall go into immediate effect.

Passed: _____ _____
President of Council

Attest: _____
Clerk of Council

Approved: _____ _____
Mayor

1st Rdg. _____ 2nd Rdg. _____
3rd Rdg. _____ Passed: yes_____ no_____
Vote: aye _____ nay _____ Immediate Effect: yes_____ no_____

ORDINANCE NO. 20-023
Sponsored by Council Member Thomas Stugmyer

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT WITH NDG REAL ESTATE LLC AND DECLARING AN EMERGENCY

WHEREAS, NDG Real Estate LLC proposes an investment by making capital improvements to real property in the City of Wadsworth; and

WHEREAS, this Council has reviewed the application for tax exemption and considered the total investment by NDG Real Estate LLC and job creation for the project; and

WHEREAS, this Council has recommended a percent and term of tax exemption that is in conformance with Ordinance 52-92 regarding tax exemption policy and other guidelines adopted by the Council for the Quadral/Seville (CRA) Community Reinvestment Area Zone; NOW THEREFORE

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

Section 1. That based on the amount of investment and payroll proposed for the project and other considerations, the agreement for tax exemption between the City of Wadsworth and NDG Real Estate LLC shall permit a real property tax exemption of 40% for a term of 12 years.

Section 2. That the Mayor of the City of Wadsworth is hereby authorized to execute an agreement for tax exemption between the City of Wadsworth and NDG Real Estate LLC with term and percent of exemption as defined by section one of this ordinance.

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 allow execution of a tax exemption agreement prior to the start of construction thus promoting economic development, WHEREFORE, this ordinance shall go into immediate effect.

Passed: _____ _____
President of Council

Attest: _____
Clerk of Council

Approved: _____ _____
Mayor

1st Rdg. _____ 2nd Rdg. _____
3rd Rdg. _____ Passed: yes_____ no_____
Vote: aye _____ nay _____ Immediate Effect: yes_____ no____

ORDINANCE NO. 20-025
Sponsored by Council Member Bruce Darlington

AN ORDINANCE AUTHORIZING THE EXISTENCE OF REAL AND PRESENT EMERGENCY IN CONNECTION WITH THE OPERATION AND MAINTENANCE OF THE DEPARTMENT OF PUBLIC SERVICE NECESSITATING AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH ADVANCED CONTROL SYSTEMS, INC. FOR THE PURCHASE OF SIX NTX-200 UPGRADES FOR THE EXISTING NTU-7550 RTUS WITHOUT FORMAL BIDDING AND ADVERTISING, AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO SUCH A CONTRACT WITHOUT FORMAL BIDDING AND ADVERTISING AND DECLARING AN EMERGENCY

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

Section 1. That this Council, pursuant to section 735.051 of the Ohio Revised Code, hereby finds the existence of a real and present emergency in connection with the operation and maintenance of the Department of Public Service necessitating authorizing the Director of Public Service to enter into a contract with Advanced Control Systems, Inc. for the purchase of six NTX-200 upgrades for the existing NTU-7550 RTUs without formal bidding and advertising.

Section 2. That based upon the aforesaid real and present emergency, this Council hereby authorizes the Director of Public Service to enter into a contract with Advanced Control Systems, Inc. for the purchase of six NTX-200 upgrades for the existing NTU-7550 RTUs without formal bidding and advertising. The payment obligation pursuant to said contract shall not exceed sixty-five thousand dollars ($65,000).

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 in order to expedite the purchase of needed equipment for city owned substation(s); WHEREFORE, this ordinance shall go immediate effect provided it receives a two thirds vote of all members of city council.

Passed: _____ _____
President of Council

Attest: _____
Clerk of Council

Approved: _____ _____
Mayor

1st Rdg. _____ 2nd Rdg. _____
3rd Rdg. _____ Passed: yes_____ no_____
Vote: aye _____ nay _____ Immediate Effect: yes_____ no_____

ORDINANCE NO. 20-026
Sponsored by Council Member Bruce Darlington

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE A CUES SEWER INSPECTION SYSTEM FROM M TECH COMPANY THROUGH PARTICIPATION IN AN OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES CONTRACT AND DECLARING AN EMERGENCY

Whereas, section 125.04 of the Ohio Revised Code permits a political subdivision to participate in purchase contracts of the Ohio Department of Administrative Services and this Council by its Ordinance 11-110 has provided for the City of Wadsworth to participate in said state contracts, and

Whereas, the Director of Public Service has determined that a Cues Sewer Inspection System is for purchase from M Tech Company through participation in an Ohio Department of Administrative Services contract and that it is in the best interest of the City of Wadsworth to purchase said Cues Sewer Inspection System through participation in the said Ohio Department of Administrative Services contract, and

Whereas, pursuant to sections 737.03 and 735.05 of the Ohio Revised Code, authorization of this Council is required for the Director of Public Service to make an expenditure exceeding fifty thousand dollars; **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 purchase Cues Sewer Inspection System at a total price exceeding fifty thousand dollars through participation in an Ohio Department of Administrative Services contract pursuant to section 125.04 of the Ohio Revised Code and Ordinance 11-110 of the City of Wadsworth. The total price to be paid for Cues Sewer Inspection System shall not exceed $79,927.71.

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 provide needed equipment for the department of public service; 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

1st Rdg. _____ 2nd Rdg. _____
3rd Rdg. _____ Passed: yes_____ no_____
Vote: aye _____ nay _____ Immediate Effect: yes_____ no_____

RESOLUTION NO. 20-17
Sponsored by Council Member Bruce Darlington

A RESOLUTION AUTHORIZING THE SALE OF VARIOUS ITEMS OF PERSONAL PROPERTY BY INTERNET AUCTION PURSUANT TO RESOLUTION 20-06 AND DECLARING AN EMERGENCY

WHEREAS, this Council has previously adopted Resolution 20-06 pursuant to section 721.15(D) of the Ohio Revised Code regarding the sale of city owned personal property by internet auction which provided that items of personal property may be sold pursuant to that resolution when said items are authorized to be sold by subsequent resolution of this Council, and

WHEREAS, this Council has determined that various items of personal property owned by the City of Wadsworth are not needed for public use or are obsolete or unfit for the use for which they were acquired and should be sold by internet auction pursuant to Resolution 20-06;

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

Section 1. That pursuant to Section 2 of Resolution 20-06, this Council hereby authorizes the sale of the various items of personal property listed on Exhibit A attached to this ordinance by internet auction in the manner provided for in Resolution 20-06 and authorizes a contract with Public Surplus to conduct said internet auction.

Section 2. That this resolution 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 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

1st Rdg. _____ 2nd Rdg. _____
3rd Rdg. _____ Passed: yes_____ no_____
Vote: aye _____ nay _____ Immediate Effect: yes_____ no_____

Exhibit A to Resolution No. 20-17
2020 Equipment Sale

Vehicle #	Vin#	Make	Model	Department	Miles /Hours
7-115-96	MOF935X150600	John Deer Mower	F935FRT	Waste Water	1,656 Hours
7-112-05	30152	Kubota UTIL	RTV 900	Waste Water	3,406 Hours
5-274-00	5B7271862Y1001779	Ditch Witch,Trailer	12T282EDLP	Streets	Trailer
Confiscated	3FAHP07Z89R157300	Ford	Fusion	Police	122,905 Miles

Public Surplus Vendor